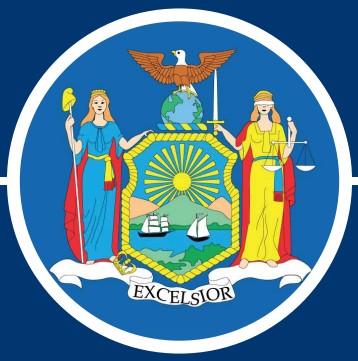



KNOW YOUR RIGHTS IN THE WORKPLACE

# NEW YORK & FEDERAL

## PRINTABLE LABOR LAWS

NY-0125-F04

For more information please call 1-800-745-9970

LaborLawCenter.com

# PAID FAMILY LEAVE NOTICE

Most private employers with one or more employees are required to obtain Paid Family Leave insurance. Your insurance carrier will provide you with a notice to employees (Notice of Compliance) stating that you have Paid Family Leave insurance. The Notice will include information about your carrier.

- If you are self-insured, you can get this notice by contacting the NYS Workers' Compensation Board at **certificates@wcb.ny.gov**.
- Post and maintain this notice in plain view.

Division of Labor Standards
Harriman State Office Campus
Building 12, Albany, NY 12226

## Notice of Employee Rights, Protections, and Obligations Under Labor Law Section 740

### Prohibited Retaliatory Personnel Action by Employers

Effective January 26, 2022

NEW YORK STATE OF OPPORTUNITY. Department of Labor
www.labor.ny.gov

§740. Retaliatory action by employers; prohibition.

1.Definitions. For purposes of this section, unless the context specifically indicates otherwise:

(a) "Employee" means an individual who performs services for and under the control and direction of an employer for wages or other remuneration, including former employees, or natural persons employed as independent contractors to carry out work in furtherance of an employer's business enterprise who are not themselves employers.

(b) "Employer" means any person, firm, partnership, institution, corporation, or association that employs one or more employees.

(c) "Law , rule or regulation" includes: (i) any duly enacted federal, state or local statute or ordinance or executive order; (ii) any rule or regulation promulgated pursuant to such statute or ordinance or executive order; or (iii) any judicial or administrative decision, ruling or order.

(d) "Public body" includes the following:

(i) the United States Congress, any state legislature, or any elected local governmental body , or any member or employee thereof;

(ii) any federal, state, or local court, or any member or employee thereof, or any grand or petit jury;

(iii) any federal, state, or local regulatory , administrative, or public agency or authority, or instrumentality thereof;

(iv) any federal, state, or local law enforcement agency , prosecutorial office, or police or peace officer;

(v) any federal, state or local department of an executive branch of government; or

(vi) any division, board, bureau, office, committee, or commission of any of the public bodies described in subparagraphs (i) through (v) of this paragraph.

(e) "Retaliatory action" means an adverse action taken by an employer or his or her agent to discharge,threaten, penalize, or in any other manner discriminate against any employee or former employee exercising his or her rights under this section, including (i) adverse employment actions or threats to take such adverse

3. Application. The protection against retaliatory action provided by paragraph (a) of subdivision two of this section pertaining to disclosure to a public body shall not apply to an employee who makes such disclosure to a public body unless the employee has made a good faith effort to notify his or her employer by bringing the activity, policy or practice to the attention of a supervisor of the employer and has afforded such employer a reasonable opportunity to correct such activity, policy or practice. Such employer notification shall not be required where:

(a) there is an imminent and serious danger to the public health or safety;

(b) the employee reasonably believes that reporting to the supervisor would result in a destruction of evidence or other concealment of the activity, policy or practice;

(c) such activity, policy or practice could reasonably be expected to lead to endangering the welfare of a minor;

(d) the employee reasonably believes that reporting to the supervisor would result in physical harm to the employee or any other person; or

(e) the employee reasonably believes that the supervisor is already aware of the activity, policy or practice and will not correct such activity, policy or practice.

4. Violation; remedy.

(a) An employee who has been the subject of a retaliatory action in violation of this section may institute a civil action in a court of competent jurisdiction for relief as set forth in subdivision five of this section within two years after the alleged retaliatory action was taken.

(b) Any action authorized by this section may be brought in the county in which the alleged retaliatory action occurred, in the county in which the complainant resides, or in the county in which the employer has its principal place of business. In any such action, the parties shall be entitled to a jury trial.

(c) It shall be a defense to any action brought pursuant to

employment actions against an employee in the terms of conditions of employment including but not limited to discharge, suspension, or demotion; (ii) actions or threats to take such actions that would adversely impact a former employee's current or future employment; or (iii) threatening to contact or contacting United States immigration authorities or otherwise reporting or threatening to report an employee's suspected citizenship or immigration status or the suspected citizenship or immigration status of an employee's family or household member, as defined in subdivision two of section four hundred fifty-nine-a of the social services law, to a federal, state, or local agency.

(f) "Supervisor" means any individual within an employer's organization who has the authority to direct and control the work performance of the affected employee; or who has managerial authority to take corrective action regarding the violation of the law, rule or regulation of which the employee complains.

2. Prohibitions. An employer shall not take any retaliatory action against an employee, whether or not within the scope of the employee's job duties, because such employee does any of the following:

(a) discloses, or threatens to disclose to a supervisor or to a public body an activity, policy or practice of the employer that the employee reasonably believes is in violation of law, rule or regulation or that the employee reasonably believes poses a substantial and specific danger to the public health or safety;

(b) provides information to, or testifies before, any public body conducting an investigation, hearing or inquiry into any such activity, policy or practice by such employer; or

(c) objects to, or refuses to participate in any such activity, policy or practice.

this section that the retaliatory action was predicated upon grounds other than the employee's exercise of any rights protected by this section.

5. Relief. In any action brought pursuant to subdivision four of this section, the court may order relief as follows:

(a) an injunction to restrain continued violation of this section;

(b) the reinstatement of the employee to the same position held before the retaliatory action, or to an equivalent position, or front pay in lieu thereof;

(c) the reinstatement of full fringe benefits and seniority rights;

(d) the compensation for lost wages, benefits and other remuneration;

(e) the payment by the employer of reasonable costs, disbursements, and attorney's fees;

(f) a civil penalty of an amount not to exceed ten thousand dollars; and/or

(g) the payment by the employer of punitive damages, if the violation was willful, malicious or wanton.

6. Employer relief. A court, in its discretion, may also order that reasonable attorneys' fees and court costs and disbursements be awarded to an employer if the court determines that an action brought by an employee under this section was without basis in law or in fact.

7. Existing rights. Nothing in this section shall be deemed to diminish the rights, privileges, or remedies of any employee under any other law or regulation or under any collective bargaining agreement or employment contract.

8. Publication. Every employer shall inform employees of their protections, rights and obligations under this section, by posting a notice thereof. Such notices shall be posted conspicuously in easily accessible and well-lighted places customarily frequented by employees and applicants for employment.

NEW YORK STATE | Department of Labor
WORKING FOR YOU

# Attention Miscellaneous Industry Employees

**Minimum Wage hourly rates effective 1/1/2026 – 12/31/2026**

## New York City

| Large Employers (**11 or more** employees) | Small Employers (**10 or less** employees) |
|---|---|
| **Minimum Wage** **$17.00** | **Minimum Wage** **$17.00** |
| Overtime after 40 hours $25.50 | Overtime after 40 hours $25.50 |
| **Tipped workers** **$17.00** | **Tipped workers** **$17.00** |
| Overtime after 40 hours $25.50 | Overtime after 40 hours $25.50 |

## Long Island and Westchester County

**Minimum Wage** **$17.00**

Overtime after 40 hours $25.50

**Tipped workers** **$17.00**

Overtime after 40 hours $25.50

## Remainder of New York State

**Minimum Wage** **$16.00**

Overtime after 40 hours $24.00

**Tipped workers** **$16.00**

Overtime after 40 hours $24.00

If you have questions, need more information or want to file a complaint, please visit www.labor.ny.gov/minimumwage or call: **1-888-469-7365.**

**Credits and Allowances** that may reduce your pay below the minimum wage rates shown above:

- **Tips –** Beginning December 31, 2020, your employer must pay the full applicable minimum wage rate, and cannot take any tip credit.
- **Meals and lodging –** Your employer may claim a limited amount of your wages for meals and lodging that they provide to you, as long as they do not charge you anything else. The rates and requirements are set forth in wage orders and summaries, which are available online.

**Extra Pay** you may be owed in addition to the minimum wage rates shown above:

- **Overtime –** You must be paid 1½ times your regular rate of pay (no less than amounts shown above) for weekly hours over 40 (or 44 for residential employees).
  *Exceptions:* Overtime is not required for salaried professionals, or for executives and administrative staff whose weekly salary is more than 75 times the minimum wage rate.
- **Call-in pay** – If you go to work as scheduled and your employer sends you home early, you may be entitled to extra hours of pay at the minimum wage rate for that day.
- **Spread of hours** – If your workday lasts longer than ten hours, you may be entitled to extra daily pay. The daily rate is equal to one hour of pay at the minimum wage rate.
- **Uniform maintenance** – If you clean your own uniform, you may be entitled to additional weekly pay. The weekly rates are available online.

# MINIMUM WAGE FOR TIPPED WORKERS

1/1/26-12/31/26

From January 1, 2026 through December 31, 2026, the minimum hourly rates that employers must pay to tipped workers are shown below.

| HOSPITALITY INDUSTRY | | | |
|---|---|---|---|
| | New York City | Long Island and Westchester County | Remainder of New York State |
| **Service Employees** | $14.15 Cash Wage<br>$2.85 Tip Credit | $14.15 Cash Wage<br>$2.85 Tip Credit | $13.30 Cash Wage<br>$2.70 Tip Credit |
| **Food Service Workers** | $11.35 Cash Wage<br>$5.65 Tip Credit | $11.35 Cash Wage<br>$5.65 Tip Credit | $10.70 Cash Wage<br>$5.30 Tip Credit |

*For more info about minimum wage standards in these and other industries: **dol.ny.gov/minimum-wage**

## COMBINING CASH WAGES AND TIP CREDITS TO SATISFY THE MINIMUM WAGE

New York State law allows employers in all industries other than building service to satisfy the minimum wage by combining a "cash wage" paid by the employer with a credit or allowance for tips that the employee receives from customers. For example, the minimum wage for food service workers in New York City is $17.00 per hour. Their employers can satisfy the minimum wage by combining a cash wage of at least $11.35 with a tip allowance of no more than $5.65 per hour.

## LIMITATIONS ON TIP CREDITS IN THE HOSPITALITY INDUSTRY

Employers in the hospitality industry may not take tip credits for:

- Days when tipped workers spend more than two hours, or twenty percent of a shift, doing non-tipped work
- Weeks when service employees receive tips averaging less per hour than the following:

| AVERAGE TIPS PER HOUR | | | |
|---|---|---|---|
| | New York City | Long Island and Westchester County | Remainder of New York State |
| **In resort hotels** | $9.55 | $9.55 | $9.00 |
| **In restaurants and all-year hotels** | $3.65 | $3.65 | $3.40 |

## LIMITATIONS ON TIP CREDITS IN OTHER INDUSTRIES

No tip credit is available in the building service Industry.

The tip credit is not available when weekly tips average less than the minimum amount specified for the location and size of employer.

**Please Note: As of December 31, 2020, tip allowances are not permitted in miscellaneous industries (all other industries except hospitality, farmworkers, and building service). Employers are not permitted to keep or retain any portion of a tip that an employee receives.**

## OVERTIME

For tipped workers, employers must pay overtime hours worked at time-and-one-half the minimum wage rate, less the applicable tip credit.

## FOR MORE INFORMATION

If you need additional assistance, or want to file a complaint, please call **1-888-4NYSDOL** (**1-888-469-7365**) or visit **dol.ny.gov/minimum-wage**.



The New York State Department of Labor is an Equal Opportunity Employer/Program.
Auxiliary aides and services are available upon request and free of charge to individuals with disabilities TTY/TDD 711 or 1-800-662-1220 (English) / 1-877-662-4886.

Division of Labor Standards
1220 Washington Ave.
Building 12, Albany, NY 12226

NEW YORK STATE | Department of Labor
WORKING FOR YOU

# Tip Appropriation

## Section 196-d of the New York State Labor Law

Section 196-d. Gratuities. No employer or his agent or an officer or agent of any corporation, or any other person shall demand or accept, directly or indirectly, any part of the gratuities, received by an employee, or retain any part of a gratuity or of any charge purported to be a gratuity for an employee. This provision shall not apply to the checking of hats, coats or other apparel. Nothing in this subdivision shall be construed as affecting the allowances from the minimum wage for gratuities in the amount determined in accordance with the provisions of article nineteen of this chapter nor as affecting practices in connection with banquets and other special functions where a fixed percentage of the patron's bill is added for gratuities which are distributed to employees, nor to the sharing of tips by a waiter with a busboy or similar employee.

For more information, call or write the nearest office of the Division of Labor Standards, of the New York State Department of Labor, listed below:

**Albany District**
1220 Washington Ave.
Bldg. 12 Room 185A
Albany, NY 12226
(518) 457-2730

**Buffalo District**
295 Main Street
Suite 914
Buffalo, NY 14203
(716) 847-7141

**New York City District**
55 Hanson Place
11th Floor
Brooklyn, NY 11217
(212) 775-3880

**Syracuse District**
333 East Washington Street
Room 121
Syracuse, NY 13202
(315) 428-4057

**Bronx District**
55 Hanson Place
11th Floor
Brooklyn, NY 11217
(212) 775-3597

**Garden City District**
400 Oak Street
Suite 102
Garden City, NY 11530
(516) 794-8195

**Rochester District**
276 Waring Road
Room 104
Rochester, NY 14609
(585) 258-4550

**White Plains District**
120 Bloomingdale Road
White Plains, NY 10605
(914) 997-9521

# WAGE THEFT PREVENTION ACT

The Wage Theft Prevention Act (WTPA), which gives more protection to workers in New York State, took effect on April 9, 2011. Here are some key provisions of the law that employers need to know.

## PUBLIC NOTICE OF VIOLATIONS

If an employer breaks certain parts of the law, the New York State Department of Labor may post the violation in a place where employees can see it for up to a year.

For a willful failure to pay all wages under this law, the New York State Department of Labor may post a summary of violations in a place where the public can see it, for up to 90 days. **It is a misdemeanor to remove or tamper with this notice without permission.**

## ENHANCED RULES AGAINST RETALIATION

The WTPA extends the protections under Labor Law Section 215. It also gives the Department of Labor more power to enforce this law.

1. It was always illegal to discharge, penalize and/or discriminate against an employee who makes a complaint; threats are now included as a form of retaliation.
2. In the past, we could only cite employers for retaliation; now, it is illegal for any person within an organization/company to retaliate.
3. In the past, penalties for breaking this rule meant we could fine an employer up to $10,000. Now, the Department of Labor can order the employer or the person who acted against the employee to pay liquidated damages. The payment can be up to $20,000.
4. The Department of Labor may order the employer to reinstate the worker's job. The employer may have to pay the person for lost salary, or pay a lump sum in lieu of reinstatement.
5. Retaliation carries criminal penalties for employee complaints about any section of the labor law.
6. The protection applies to any worker who alleges that the employer has done something that the employee thinks breaks a labor law or an order issued by the Commissioner. This applies even if the employee is mistaken about the law, if they acted in good faith. It applies even if the employee does not cite a specific part of the labor law.
7. This law protects employees even if the employer incorrectly believes they made a complaint.

## WRITTEN NOTICE

The law already required employers to give notice to employees of their wage rates at the time of hire. Now, the WTPA requires employers to give a written notice to each new hire. The notice must include:

1. Rate or rates of pay, including overtime rate of pay (if it applies).
2. How the employee is paid – by the hour, shift, day, week, commission, etc.
3. Regular payday.
4. Official name of the employer and any other names used for business (DBA).
5. Address and phone number of the employer's main office or principal location.
6. Allowances taken as part of the minimum wage (tip, meal and lodging deductions).
7. In the past, the notices were in English; now, the notice must appear both in English and in the employee's primary language (if the Department of Labor offers a translation).
8. Employers must have each employee sign and date the completed notice; employers must provide a copy to each employee.

9. If any data in the notice changes, the employer must tell employees at least a week before it happens unless they issue a new paystub that carries the notice. The employer must notify an employee in writing before they reduce the employee's wage rate. Employers in the hospitality industry must give notice every time a wage rate changes.

10. Employers that do not give notice may have to pay damages of up to $50 per day, per employee, unless they paid employees all wages required by law (This stops at $5,000 per employee in civil lawsuits filed by workers.)

## 11. PAYROLL RECORDS

Under prior law, some of the recordkeeping requirements were in the statute, while others were in the regulations. Now, the requirements are part of the law, which makes it easier for employers to understand their obligations. However, industry-specific regulations will still have some additional requirements. Employers must:

- Keep records for six years; records include the new notice and acknowledgment and payroll records
- Keep accurate records of hours worked by employees and wages paid; now, the law clarifies that employers must keep the records on an ongoing basis; the employer may not make up the records after the fact at the end of the week, month or year

For each week an employee works, the payroll records must contain:

- Hours worked (regular and overtime)
- Rate or rates of pay (regular/overtime)
- How the employee is paid – by the hour, shift, day, week, commission, etc.
- Pay at the piece rate must show what rates apply and the number of pieces at each rate
- Employee's gross and net wages
- Itemized deductions
- Itemized allowances and credits claimed by the employer, if any (tip, meal and lodging allowances or credits)

## WAGE STATEMENTS

Under the new law, employers must:

1. Give each employee a wage statement or pay stub each payday that lists all of the above payroll data plus:
   - Employee's name
   - Employer's name, address and phone number
   - Dates covered by the payment
2. Give any employee who asks a written explanation of how they computed wages.

Employers that do not give wage statements may have to pay damages of up to $250 per day, per employee, unless they paid employees all wages required by law. (This stops at $5,000 per employee in civil lawsuits filed by employees.)

## DAMAGES AND OTHER PENALTIES

The WTPA provides for higher penalties when an employer fails to pay the wages required by law:

1. Under prior law, liquidated damages only covered up to 25% of the unpaid wages. Now, the law provides for liquidated damages on up to 100% of the unpaid wages. Once the Department of Labor issues an Order to Comply, it includes 100% liquidated damages, as well as other civil penalties and interest.

2. If the violation is for other than wages, benefits or wage supplements, the Department of Labor may assess civil penalties for each violation. This means up to $1,000 for a first violation, $2,000 for a second, and $3,000 for third and subsequent violations.

3. If the Labor Commissioner has issued an Order to Comply against an employer who does not pay the money owed, then 10 days after the appeal period ends, the Department of Labor can require them to post a bond and/or provide a list of their assets. If employers fail to do so, the Commissioner may bring a court case against them. For failure to provide the list of assets, the Department of Labor may impose a penalty of up to $10,000.

4. The WTPA permits the Department of Labor to add 15% in damages to a judgment if the employer fails to pay in full within 90 days of the final Order to Comply.


The New York State Department of Labor is an Equal Opportunity Employer/Program. Auxiliary aids and services are available upon request to individuals with disabilities.

# VETERAN BENEFITS AND SERVICES

The following resources and hotlines are available at no-cost to help veterans understand their rights, protections, benefits, and accommodations:

**dol.ny.gov/veteran-benefits-and-services**

## MENTAL HEALTH AND SUBSTANCE ABUSE RESOURCES

*All calls and texts are free and confidential*

**U.S. Department of Veterans Affairs Veterans Crisis Line:** www.veteranscrisisline.net

Call: 988, press 1 Text: 838255

**Suicide and Crisis Lifeline:** www.veteranscrisisline.net

Call: 988 Text: 988

**Crisis Textline:**

Text: 741741 Chat: crisistextline.org

**NYS Office of Mental Health (OMH):** www.omh.ny.gov

**NYS Office of Addiction Services and Supports (OASAS):** www.oasas.ny.gov/hopeline

Call: 1-877-8-HOPENY (467469)

Text: HOPENY (467369)

## LEGAL SERVICES

**Veterans Treatment Courts (VTC):** ww2.nycourts.gov/courts/problem_solving/vet/courts.shtml

Email: ProblemSolving@courts.state.ny.us

**NYS Defenders Association Veteran Defense Program:** https://www.nysda.org/page/VDP

## TAX BENEFITS

**NYS Department of Tax and Finance**

- Information for military personnel and veterans: tax.ny.gov/pit/file/military_page.htm
- Property tax exemptions: tax.ny.gov/pit/property/exemption/vetexempt.htm

## EDUCATION, WORKFORCE, AND TRAINING RESOURCES

**Veteran Readiness and Employment (VR&E) Program:** www.benefits.va.gov/vocrehab

**New York State Civil Service Credits for Veterans Program: www.cs.ny.gov**

## ADDITIONAL RESOURCES

**NYS Domestic and Sexual Violence Hotline:**

Call: 800-942-6906 Text: 844-997-2121

**NYS Workplace Sexual Harassment Hotline:**

Call: 1-800-HARASS-3

**NYS Department of Motor Vehicles:**

- Veteran Status Designation Photo Document: **dmv.ny.gov/more-info/veteran-status-designation-photo-document**
- Veteran License Plate: **dmv.ny.gov/plates/military-and-veterans**

## NEW YORK STATE DEPARTMENT OF VETERANS' SERVICES

Website: **veterans.ny.gov**
Help Line: 1-888-838-7697
Email: DVSInfo@veterans.ny.gov

*Services:* Legal, education, employment and volunteer, financial, health care, and more.

## NEW YORK STATE DEPARTMENT OF LABOR VETERANS' PROGRAM

Website: **dol.ny.gov/services-veterans**
Help Line: 1-888-469-7365
Email: Ask.Vets@labor.ny.gov

*Services:* Workforce and training resources, unemployment insurance, the Experience Counts program, and more.

NEW YORK STATE | Department of Veterans' Services

WE ARE YOUR DOL

NEW YORK STATE | Department of Labor



The New York State Department of Labor is an Equal Opportunity Employer/Program.
Auxiliary aides and services are available upon request and free of charge to individuals with disabilities TTY/TDD 711 or 1-800-662-1220 (English) / 1-877-662-4886.

# YOU HAVE A RIGHT TO KNOW!

Your employer must inform you of the health effects and hazards of toxic substances at your worksite.

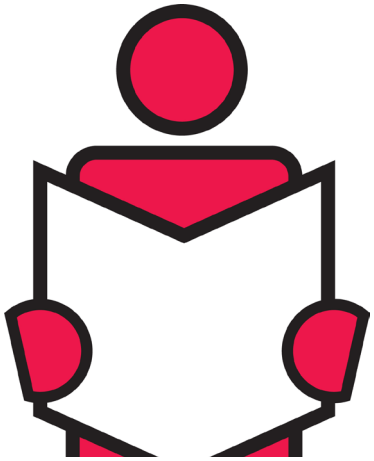
Learn all you can about toxic substances on your job. For more information, contact:

Your Manager or Human Resources

Name

Colonnade Building at 1 Ames Ave, Chautauqua, NY 14722 or 716-357-6229

Location & Phone Number



**THE RIGHT TO KNOW LAW WORKS FOR YOU**

NEW YORK STATE DEPARTMENT OF HEALTH

2706

4/00 Revised 8/2010

# EQUAL PAY NOTICE

## Equal Pay Provision of the New York State Labor Law

Article 6, Section 194

Division of Labor Standards
www.labor.ny.gov

§ 194. Differential in rate of pay because of protected class status prohibited.

1. No employee with status within one or more protected class or classes shall be paid a wage at a rate less than the rate at which an employee without status within the same protected class or classes in the same establishment is paid for: (a) equal work on a job the performance of which requires equal skill, effort and responsibility, and which is performed under similar working conditions, or (b) substantially similar work, when viewed as a composite of skill, effort, and responsibility, and performed under similar working conditions; except where payment is made pursuant to a differential based on:
   (i) a seniority system;
   (ii) a merit system;
   (iii) a system which measures earnings by quantity or quality of production; or
   (iv) a bona fide factor other than status within one or more protected class or classes,such as education, training, or experience. Such factor:
      (A) shall not be based upon or derived from a differential in compensation based on status within one or more protected class or classes and
      (B) shall be job-related with respect to the position in question and shall be consistent with business necessity. Such exception under this paragraph shall not apply when the employee demonstrates
         (1) that an employer uses a particular employment practice that causes a disparate impact on the basis of status within one or more protected class or classes,
         (2) that an alternative employment practice exists that would serve the same business purpose and not produce such differential, and
         (3) that the employer has refused to adopt such alternative practice.
2. For the purpose of subdivision one of this section:
   (a) "business necessity" shall be defined as a factor that bears a manifest relationship to the employment in question, and
   (b) "protected class" shall include age, race, creed, color, national origin, sexual orientation, gender identity or expression, military status, sex, disability, predisposing genetic characteristics, familial status, marital status, or domestic violence victim status, and any employee protected from discrimination pursuant to paragraphs (a), (b), and (c) of subdivision one of section two hundred ninety-six and any intern protected from discrimination pursuant to section two hundred ninety-six-c of the executive law.
3. For the purposes of subdivision one of this section, employees shall be deemed to work in the same establishment if the employees work for the same employer at workplaces located in the same geographical region, no larger than a county, taking into account population distribution, economic activity, and/or the presence of municipalities.
4. (a) No employer shall prohibit an employee from inquiring about, discussing, or disclosing the wages of such employee or another employee.
   (b) An employer may, in a written policy provided to all employees, establish reasonable workplace and workday limitations on the time, place and manner for inquires about, discussion of, or the disclosure of wages. Such limitations shall be consistent with standards promulgated by the commissioner and shall be consistent with all other state and federal laws. Such limitations may include prohibiting an employee from discussing or disclosing the wages of another employee without such employee's prior permission.
   (c) Nothing in this subdivision shall require an employee to disclose his or her wages. The failure of an employee to adhere to such reasonable limitations in such written policy shall be an affirmative defense to any claims made against an employer under this subdivision, provided that any adverse employment action taken by the employer was for failure to adhere to such reasonable limitations and not for mere inquiry, discussion or disclosure of wages in accordance with such reasonable limitations in such written policy.
   (d) This prohibition shall not apply to instances in which an employee who has access to the wage information of other employees as a part of such employee's essential job functions discloses the wages of such other employees to individuals who do not otherwise have access to such information, unless such disclosure is in response to a complaint or charge, or in furtherance of an investigation, proceeding, hearing, or action under this chapter, including an investigation conducted by the employer.
   (e) Nothing in this section shall be construed to limit the rights of an employee provided under any other provision of law or collective bargaining agreement.

For questions, write or call your nearest office, (listed below), of the:

**New York State Department of Labor**
**Division of Labor Standards**

**Albany District**
State Office Campus
Bldg. 12, Rm. 185A
Albany, NY 12240
(518)457-2730

**New York City District**
75 Varick Street, 7th Floor
New York, NY 10013
(212) 775-3880

**Syracuse District**
333 East Washington Street, Rm. 121
Syracuse, NY 13202
(315) 428-4057

**Garden City District**
400 Oak Street, Suite 101
Garden City, NY 11530
(516) 794-8195

**Buffalo District**
290 Main Street, Rm. 226
Buffalo, NY 14202
(716) 847-7141

**Rochester Sub-District**
276 Waring Road, Rm. 104
Rochester, NY 14609
(585) 258-4550

**White Plains District**
120 Bloomingdale Road
White Plains, NY 10605
(914) 997-9521

LS 603 (08/20)


LaborLawCenter.com Questions? Learn more by calling 1-800-745-9970
Official Print Size - 8.5" x 11"
Compliance Ready - Do Not Scale

# NOTICE REQUIREMENTS FOR FRINGE BENEFITS AND HOURS

Section 195.5 of the New York State Labor Law effective December 12, 1981 provides as follows: “Every employer shall notify his employees in writing or by publicly posting the employer’s policy on sick leave, vacation, personal leave, holidays and hours.”

For written information on your employer’s policy on sick leave, vacation, personal leave, holidays and hours can be obtained at: (Please advise employees where they may obtain written information on fringe benefits and hours.)

Chautauqua Institution's policies on vacation, Sick, Personal, and holidays are available in the Employee Handbook, which is made available during onboarding and under the 'candidate'

profile inthe Employee Resource Center of UKG. To obtain written information, you may also contact the Department of Human Resources, which is located in the colonnade Building

(Second Floor) at 1 Ames Ave Chautauqua, NY 14722 with Megan Kristan, Payroll & Benefits Manager, at 716-357-6346 or MKristan@chq.org

# BLOOD DONATION LEAVE

Section 202-j of the Labor Law mandates that employers provide leave time to employees for the purpose of donating blood. The two types of blood donation leaves are Off-Premises Blood Donation and Donation Leave Alternatives.

**Compensation for Leave** - Leave granted to employees for off-premises blood donation is not required to be paid leave. leave taken by employees for donation leave alternatives shall be paid leave given without requiring the employee to use accumulated vacation, personal, sick, or other already existing leave time.

**Off-Premises Donation** - Employees taking leave for off-premises blood donation shall be permitted at least one leave period per calendar year of three hours duration during the employee's regular work schedule. Employers are not required to allow off-premises blood donation leave under Labor Law § 202-j to accrue if it is not used during the calendar year. Leave granted to employees for off-premises blood donation is not required to be paid leave.

**Donation Leave Alternatives** - Leave for blood donation leave alternatives shall be given twice per calendar year and it shall be paid leave given without use of vacation, personal, sick, or other already existing leave accruals. Under the Donation Leave Alternatives, the donating of blood should be at a convenient time and place set by the employer. The time shall not be a time outside an employee's normal work hours nor shall the location be not reasonable travel distance for an employee. If an employee provides prompt notice that he or she is not or was not able to participate in a blood donation leave alternative because the employee is or was on leave (such as sick or vacation leave), and if as a result the employer has not provided the employee with the opportunity to participate in at least two blood leave alternatives during working hours in a calendar year, the employer must either make available another such alternative to the employee, or allow the employee to take leave to make an off-premises donation. Employees donating blood during a blood donation leave alternative must be allowed sufficient leave time necessary to donate blood, to recover, including partaking nourishment after donating, and to return to work.

Our company's blood donation will occur: Off-Premises/By Employee Request

Please indicate time and place

Should you have any questions, please contact: Megan Kristan, Payroll & Benefits Manager, at (716) 357-6346 or MKristan@chq.org

Please indicate administrator

LS 703 (03-16)

# NO SMOKING

Effective July 24, 2003, the amended New York State Clean Indoor Air Act (Public Health Law, Article 13-E) prohibits smoking in virtually all workplaces, including restaurants and bars. The changes in the Act reflect the state's commitment to ensuring that all workers are protected from secondhand smoke. Localities may continue to adopt and enforce local laws regulating smoking. However, these regulations must be at least as strict as the Clean Indoor Air Act.

STATE OF NEW YORK

Department of Health

Antonia C. Novello, M.D., M.P.H., Dr. P.H., Commissioner

For more information about the Act,
call 1-800-458-1158, ext. 2-7600.

# ATTENTION ALL EMPLOYEES

## TIME ALLOWED EMPLOYEES TO VOTE ON ELECTION DAY

### N.Y. ELECTION LAW SECTION 3-110[i] STATES THAT:

- **IF YOU DO NOT HAVE 4 CONSECUTIVE HOURS TO VOTE, EITHER FROM THE OPENING OF THE POLLS TO THE BEGINNING OF YOUR WORKING SHIFT, OR BETWEEN THE END OF YOUR WORKING SHIFT AND THE CLOSING OF THE POLLS, YOU MAY TAKE OFF UP TO 2 HOURS, WITHOUT LOSS OF PAY, TO ALLOW YOU TIME TO VOTE IF YOU ARE A REGISTERED VOTER.**

- **YOU MAY TAKE TIME OFF AT THE BEGINNING OR END OF YOUR WORKING SHIFT, AS YOUR EMPLOYER MAY DESIGNATE, UNLESS OTHERWISE MUTUALLY AGREED.**

- **YOU MUST NOTIFY YOUR EMPLOYER NOT LESS THAN 2 DAYS, BUT NOT MORE THAN 10 DAYS, BEFORE THE DAY OF THE ELECTION THAT YOU WILL TAKE TIME OFF TO VOTE.**

Revised 6.23.2025

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[i] Employers: Not less than ten working days before any Election Day, every employer shall post conspicuously in the place of work where it can be seen as employees come or go to their place of work, a notice setting forth the provisions of this law. Such notice shall be kept posted until the close of the polls on Election Day.

# WORKERS' COMPENSATION NOTICE

Employers must obtain and keep in effect workers' compensation coverage for their employees; there must be no lapse in coverage even when switching insurance carriers. The law requires almost all employers operating in New York State to have workers' compensation and disability coverage for their employees. This requirement can be fulfilled by purchasing insurance coverage through an insurance carrier or by obtaining authorization from the Board to be self-insured.

**Employers must post a notice of workers' compensation coverage and employee rights.** This notice is in a form prescribed by the Workers' Compensation Board. Employers obtain the notice from their insurance carrier or, if self-insured, from the Board. The notice includes the name and address of the insurance carrier and the policy number of the employer. It must be posted in a conspicuous place in the employer's place of business. Violations of this requirement can result in a fine of up to $250 per violation.

# DISABILITY BENEFITS LAW

An employer who has had in New York State employment 1 or more employees on each of at least 30 days in any calendar year shall be a "covered employer" subject to the Disability Benefits Law after the expiration of 4 weeks following the 30th day of such employment. These 30 days of employment need not be consecutive days but must be work days of employment in one calendar year. In addition to the above-stated provisions, effective January 1, 1984, employers of personal or domestic employees in a private home are subject if they employ at least one employee who works 40 or more hours per week for that one employer. (NOTE: Prior to January 1, 1984, employers are subject only if they have 4 or more employees.) Each covered employer must post and maintain conspicuously at the place or places of business a prescribed form, Notice of Compliance, stating the provisions have been made for the payment of Disability Benefits to all eligible employees. To obtain the Notice of Compliance, please contact your Disability Insurance Carrier.

# STATE OF NEW YORK - WORKERS' COMPENSATION BOARD
# ESTADO DE NUEVA YORK - JUNTA DE COMPENSACION OBRERA

## NOTICE OF COMPLIANCE

### TO EMPLOYEES

**IMPORTANT INFORMATION FOR EMPLOYEES WHO ARE INJURED OR SUFFER AN OCCUPATIONAL DISEASE WHILE WORKING.**

1. By posting this notice and information concerning your rights as an injured worker, your employer is in compliance with the Workers' Compensation Law.
2. If you do not notify your employer within 30 days of the date of your injury your claim may be disallowed, so do so immediately.
3. You are entitled to obtain any necessary medical treatment and should do so immediately.
4. You may choose any doctor, podiatrist, chiropractor or psychologist referred by a medical doctor that accepts NY State Workers' Compensation patients and is Board authorized. However, if your employer is involved in a certified preferred provider organization (PPO) you must first be treated by a provider chosen by your employer and your employer must give you a written statement of your rights concerning further medical care.
5. You should tell your doctor to file copies of medical reports concerning your claim with the Workers' Compensation Board and with your employer's insurance company, which is indicated at the bottom of this form.
6. You may be entitled to lost time benefits if your work-related injury keeps you from work for more than seven days, compels you to work at lower wages or results in permanent disability to any part of your body. You may be entitled to rehabilitation services if you need help returning to work.
7. You should not pay any medical providers directly. They should send their bills to your employer's insurance carrier. If there is a dispute, the provider must wait until the Board makes a decision before it attempts to collect payment from you. If you do not pursue your claim or the Board rules that your injury is not work-related, you may be responsible for the payment of the bills.
8. You are entitled to be represented by an attorney or licensed representative, but it is not required. If you do hire a representative do not pay him/her directly. Any fee will be set by the Board and will be deducted from your award.
9. If you have difficulty in obtaining a claim form or need help in filling it out, or if you have any other questions or problems about a job-related injury, contact any office of the Workers' Compensation Board.

## AVISO DE CUMPLIMIENTO

### A EMPLEADOS

**INFORMACION IMPORTANTE PARA EMPLEADOS QUE SEAN LESIONADOS O SUFRAN UNA ENFERMEDAD OCUPACIONAL MIENTRAS TRABAJAN.**

1. Su patrono está cumpliendo la Ley de Compensación Obrera cuando despliega este comunicado concerniente a sus derechos como trabajador lesionado.
2. Si usted no notifica a su patrono dentro del término de 30 dias de haber sufrido su lesión su reclamación podría ser desestimada, por eso notifique inmediatamente.
3. Usted tiene derecho a recibir cualquier tratamiento médico necesario relacionado con su lesión y debe gestionarlo inmediatamente.
4. Para el tratamiento de cualquier lesión o enfermedad relacionada con el trabajo, usted puede escoger cualquier médico, podiatra, quiropractico ó psicologo (si es referido por un médico autorizado) que esté autorizado y acepte pacientes de la Junta de Compensación Obrera. Sin embargo, si su patrono está autorizado a participar en una organización certificada de proveedores preferidos (PPO), usted deberá obtener tratamiento inicial para cualquier lesión o enfermedad relacionada con el trabajo de la correspondiente entidad. Patronos que participen en cualquiera de estos programas establecidos por ley estan obligados a proveer a sus empleados notificación escrita explicando sus derechos y obligaciones bajo el programa a que esté acogido.
5. Usted deberá requerir de su Médico que radique copias de los informes médicos de su caso en la Junta de Compensación Obrera y en la compañia de seguros de su patrono, que se indica al final de esta forma.
6. Usted tiene derecho a compensación si su lesión relacionada con el trabajo le impide trabajar por más de siete días, le obliga a trabajar a sueldo más bajo ó resulta en incapacidad permanente de cualquier parte de su cuerpo. Usted puede tener derecho a servicios de rehabilitación si necesita ayuda para regresar al trabajo.
7. No pague a ningun proveedor médico directamente por tratamiento de su lesión o enfermedad relacionada con el trabajo. Ellos deben enviar sus facturas al asegurador de su patrono. Si el caso es cuestionado, el proveedor deberá esperar hasta que la Junta decida el caso, antes de iniciar gestión de cobro alguna
8. No es obligatorio el estar representado en ninguno de los procedimientos de la Junta, pero es un derecho que usted tiene, el estar representado por abogado ó por representante licenciado si usted así lo desea. Si es representado, no pague al abogado ó al representante licenciado. Cuando la Junta decida su caso, los honorarios seran determinados por la Junta y descontados de sus beneficios.
9. Si tiene dificultad en conseguir un formulario de reclamación o necesita ayuda para llenarlo ó tiene dudas sobre cualquier situación relacionada con una lesión o enfermedad comuniquese con la oficina mas cercana de la Junta.

**NYS Workers' Compensation Board**
**Centralized Mailing**
**PO Box 5205**
**Binghamton, NY 13902-5205**
**Customer Service Line: 877-632-4996**

**CHAIR/PRESIDENTE**
**Workers' Compensation Board**

Workers' Compensation Benefits, when due, will be paid by (Los beneficios de Compensacion Obrera, cuandos debidos, seran pagados por):

**NYSIF**
**PO Box 66699; Albany, NY 12206**
**(888) 875-5790**

**Effective From** (En Vigor Desde) **12/31/2025** **To** (Hasta **cancellation**) **cancellation**

**Policy No.** (Poliza No.) **B 2180 290-5**

Name of employer (Nombre de patrono)

**CHAUTAUQUA HOTEL COMPANY INC**
**1 AMES AVE CHAUTAUQUA NY 14722**

**THIS NOTICE MUST BE POSTED CONSPICUOUSLY IN AND ABOUT THE EMPLOYER'S PLACE OR PLACES OF BUSINESS.**



Failure by an employer to post this notice in and about the employer's place or places of business may result in a $250 penalty for each violation.

HARTFORD LIFE AND ACCIDENT

CHAUTAUQUA HOTEL COMPANY DBA THE ATHENAEUM HOTEL

**STATE OF NEW YORK**

**WORKERS' COMPENSATION BOARD**

# NOTICE OF COMPLIANCE

New York State Disability Benefits

## Disability Benefits For Employees

1. If you are unable to work because of an illness or injury, not work-related, you may be entitled to receive weekly benefits from your employer, his or her insurance carrier, or from the Special Fund for Disability Benefits.

2. To claim benefits you must file a claim form within 30 days from the first date of your disability, but in no event more than 26 weeks from such date.

3. Complete claim form DB-450 (Notice and Proof of Claim for Disability Benefits)
   You may obtain the form from your employer, his or her insurance carrier, your health provider, any Unemployment Insurance Office, the Workers' Compensation Board's website (www.wcb.ny.gov) or any office of the Board.
   **IMPORTANT:** Before filing your claim, your health provider must complete the "Health Care Provider's Statement" on the form showing your period of disability.

   - If you are employed, or have been unemployed for four weeks or less when your disability begins, send the completed form to your employer or the insurance carrier named below.
   - If you have been unemployed more than four weeks when your disability begins, send the completed form to the Workers' Compensation Board, Disability Benefits Bureau, 328 State Street, Schenectady, New York 12305.

4. You are entitled to be treated by any physician,chiropractor, dentist, nurse-midwife, podiatrist or psychologist of your choice. However, unlike workers' compensation, your medical bills will not be paid unless your employer and/or union provide for the payment of such bills under a Disability Benefits Plan or Agreement.

5. If you are ill or injured during the time you are receiving Unemployment Insurance Benefits, file a claim for Disability Benefits as soon as you sustain the injury or illness, by following the instructions outlined above.

6. If you are out of work in excess of seven days, your employer is required to send you a Disability Benefits Statement of Rights (Form DB-271S).

7. You may not take disability benefits at the same time as paid family leave benefits. The total amount of disability and paid family leave in a 52 week period cannot exceed 26 weeks.

8. Other information about disability benefits may be obtained by writing or calling the Workers' Compensation Board.

INSERT NAME, ADDRESS AND TELEPHONE NUMBER OF INSURER OR MAIN OFFICE OF AUTHORIZED NEW YORK SELF-INSURER

HARTFORD LIFE AND ACCIDENT

P.O. Box 2999, Hartford, CT 06104

Policy #: LNY713494002 Effective From: 04-01-2026 to 03-31-2027

☑ Statutory ☐ Under a Plan or Agreement

Class(es) of Employees Covered:

**All employees eligible under New York State Disability Benefits Law**

**NYS Workers' Compensation Board**
**Customer Service: (877) 632-4996**
www.wcb.ny.gov

**PRESCRIBED BY THE CHAIR, WORKERS' COMPENSATION BOARD**
**THIS NOTICE MUST BE POSTED CONSPICUOUSLY IN AND ABOUT THE EMPLOYER'S PLACE OR PLACES OF BUSINESS.**
**Employers must post DB-120 so that all classes of their employees know who will pay their benefits.**



THE WORKERS' COMPENSATION BOARD EMPLOYS AND SERVES PEOPLE WITH DISABILITIES WITHOUT DISCRIMINATION

# Paid Family Leave
# NOTICE OF COMPLIANCE

NEW YORK STATE | Paid Family Leave

**Paid Family Leave insurance coverage provided by:** HARTFORD LIFE AND ACCIDENT INSURANCE COMPANY
INSERT INSURER NAME HERE

**Covering employees of:** CHAUTAUQUA HOTEL COMPANY DBA THE ATHENAEUM HOTEL
INSERT EMPLOYER NAME HERE

## Paid Family Leave is employee-funded insurance that provides eligible employees job-protected, paid time off to:

- **BOND** with a newly born, adopted, or fostered child;
- **CARE** for a family member with a serious health condition (see paidfamilyleave.ny.gov for eligible family members); or
- **ASSIST** loved ones when a spouse, domestic partner, child, or parent is deployed abroad on active military service.

## Paid Family Leave Request Process:

1. Notify your employer at least 30 days in advance, if foreseeable, or as soon as possible.
2. Complete and submit the *Request for Paid Family Leave (Form PFL-1)* to your employer.
3. Complete and attach the additional documentation as instructed on the request form and submit to your employer's insurance carrier listed below. Submit within 30 days after the start of your leave to avoid losing benefits.

You may obtain all forms from your employer, their insurance carrier listed below, or online at PaidFamilyLeave.ny.gov/Forms.

**Employers should NEVER discriminate or retaliate against anyone who requests or takes Paid Family Leave**

### INSURER OR AUTHORIZED NEW YORK SELF-INSURER INFORMATION

**Name:** HARTFORD LIFE AND ACCIDENT INSURANCE COMPANY **Telephone:** (800) 454-7020

**Address:** P.O. BOX 2999, HARTFORD, CT 06104

**Policy #:** LNY713494002 **Effective date from:** 04-01-2026 03-31-2027

■ **Statutory** ☐ **Under a plan or agreement**

**Class(es) of employees covered:** All Employees Eligible Under The New York Paid Family Leave Benefits Law

For more information, visit **PaidFamilyLeave.ny.gov** or call **(844) 337-6303**

PRESCRIBED BY THE CHAIR, WORKERS' COMPENSATION BOARD
THIS NOTICE MUST BE POSTED CONSPICUOUSLY IN AND ABOUT THE EMPLOYER'S PLACE OR PLACES OF BUSINESS.

## NEW YORK CORRECTION LAW ARTICLE 23-A LICENSURE AND EMPLOYMENTOF PERSONS PREVIOUSLYCONVICTED OF ONE OR MORE CRIMINAL OFFENSES

**Section 750.** Definitions. **751.** Applicability. **752.** Unfair discrimination against persons previously convicted of one or more criminal offenses prohibited. **753.** Factors to be considered concerning a previous criminal conviction; presumption. **754.** Written statement upon denial of license or employment. **755.** Enforcement. **§750.** Definitions. For the purposes of this article, the following terms shall have the following meanings: **(1)** "Public agency" means the state or any local subdivision thereof, or any state or local department, agency, board or commission. **(2)** "Private employer" means any person, company, corporation, labor organization or association which employs ten or more persons. **(3)** "Direct relationship" means that the nature of criminal conduct for which the person was convicted has a direct bearing on his fitness or ability to perform one or more of the duties or responsibilities necessarily related to the license, opportunity, or job in question. **(4)** "License" means any certificate, license, permit or grant of permission required by the laws of this state, its political subdivisions or instrumentalities as a condition for the lawful practice of any occupation, employment, trade, vocation, business, or profession. Provided, however, that "license" shall not, for the purposes of this article, include any license or permit to own, possess, carry, or fire any explosive, pistol, handgun, rifle, shotgun, or other firearm. **(5)** "Employment" means any occupation, vocation or employment, or any form of vocational or educational training. Provided, however, that "employment" shall not, for the purposes of this article, include membership in any law enforcement agency. **§751.** Applicability. The provisions of this article shall apply to any application by any person for a license or employment at any public or private employer, who has previously been convicted of one or more criminal offenses in this state or in any other jurisdiction, and to any license or employment held by any person whose conviction of one or more criminal offenses in this state or in any other jurisdiction preceded such employment or granting of a license, except where a mandatory forfeiture, disability or bar to employment is imposed by law, and has not been removed by an executive pardon, certificate of relief from disabilities or certificate of good conduct. Nothing in this article shall be construed to affect any right an employer may have with respect to an intentional misrepresentation in connection with an application for employment made by a prospective employee or previously made by a current employee. **§752.** Unfair discrimination against persons previously convicted of one or more criminal offenses prohibited. No application for any license or employment, and no employment or license held by an individual, to which the provisions of this article are applicable, shall be denied or acted upon adversely by reason of the individual's having been previously convicted of one or more criminal offenses, or by reason of a finding of lack of "good moral character" when such finding is based upon the fact that the individual has previously been convicted of one or more criminal offenses, unless: **(1)** There is a direct relationship between one or more of the previous criminal offenses and the specific license or employment sought or held by the individual; or **(2)** the issuance or continuation of the license or the granting or continuation of the employment would involve an unreasonable risk to property or to the safety or welfare of specific individuals or the general public. **§753.** Factors to be considered concerning a previous criminal conviction; presumption. **1.** In making a determination pursuant to section seven hundred fifty-two of this chapter, the public agency or private employer shall consider the following factors: **(a)** The public policy of this state, as expressed in this act, to encourage the licensure and employment of persons previously convicted of one or more criminal offenses. **(b)** The specific duties and responsibilities necessarily related to the license or employment sought or held by the person. **(c)** The bearing, if any, the criminal offense or offenses for which the person was previously convicted will have on his fitness or ability to perform one or more such duties or responsibilities. **(d)** The time which has elapsed since the occurrence of the criminal offense or offenses. **(e)** The age of the person at the time of occurrence of the criminal offense or offenses. **(f)** The seriousness of the offense or offenses. **(g)** Any information produced by the person, or produced on his behalf, in regard to his rehabilitation and good conduct. **(h)** The legitimate interest of the public agency or private employer in protecting property, and the safety and welfare of specific individuals or the general public. **2.** In making a determination pursuant to section seven hundred fifty-two of this chapter, the public agency or private employer shall also give consideration to a certificate of relief from disabilities or a certificate of good conduct issued to the applicant, which certificate shall create a presumption of rehabilitation in regard to the offense or offenses specified therein. **§754.** Written statement upon denial of license or employment. At the request of any person previously convicted of one or more criminal offenses who has been denied a license or employment, a public agency or private employer shall provide, within thirty days of a request, a written statement setting forth the reasons for such denial. **§755.** Enforcement. **1.** In relation to actions by public agencies, the provisions of this article shall be enforceable by a proceeding brought pursuant to article seventy-eight of the civil practice law and rules. **2.** In relation to actions by private employers, the provisions of this article shall be enforceable by the division of human rights pursuant to the powers and procedures set forth in article fifteen of the executive law, and, concurrently, by the New York city commission on human rights.

# UNEMPLOYMENT INSURANCE

WE ARE YOUR DOL

NEW YORK STATE OF OPPORTUNITY. Department of Labor

**Unemployment Insurance**
Division

## Notice to Employees

Employer Legal Name: Chautauqua Hotel Co DBA The Athenaeum Hotel

Address: P.O. BOX 2999, HARTFORD, CT 06104

Employer Registration (ER) #: 70-50003 0

**Employees of this firm: you are covered by the New York State Unemployment Insurance Law.**

- Your employer may not deduct from your wages for this purpose.

- **If you are laid off, work less than four days a week, or resign:**
  - **Get a "Record of Employment," form from your employer. Keep it for your records to use if you file forUnemployment Insurance benefits.**
  - The "Record of Employment" form must have your employer's name, registration number, and address where payroll recordsare kept.

- **To file an application for Unemployment Insurance:**
  - Call the Telephone Claims Center at (888) 209-8124 (translation services are available) or
  - Go to our website at **www.labor.ny.gov**
  - Hearing impaired individuals who have telephone Device for the Deaf (TTY/TDD) equipment may file a claim by calling arelay operator at (800) 662-1220 and requesting the operator call (888) 783-1370. Service at this number is provided onlyto callers using TDD equipment.

**To Employer: You must post this poster conspicuously in each workplace.**

Employers who utilize the fill-in version of this poster certify to the completeness and accuracy of the legal name, address and Employer Registration # displayed. For additional posters, write to the: New York State Department of Labor, Liability and Determination Section, Harriman State Office Campus, Albany, NY 12226.

Equal Opportunity Employer/Program – Auxiliary aids and services are available upon request to individuals with disabilities.

IA 133 (04/23)

NEW YORK STATE | Division of Human Rights

# 844-697-3471
# dhr.ny.gov

THIS ESTABLISHMENT IS SUBJECT TO THE NEW YORK STATE HUMAN RIGHTS LAW (EXECUTIVE LAW, ARTICLE 15)

**Discrimination based upon age, race, creed, color, national origin, sexual orientation, military status, sex, pregnancy, gender identity or expression, citizenship or immigration status, disability, domestic violence victim status, familial status, or marital status is prohibited by the New York State Human Rights Law. Sexual harassment or harassment based upon any of these protected classes also is prohibited.**

**ALL EMPLOYERS, EMPLOYMENT AGENCIES, LABOR ORGANIZATIONS AND APPRENTICESHIP TRAINING PROGRAMS**

Also prohibited: discrimination in employment on the basis of Sabbath observance or religious practices; hairstyles associated with race (also applies to all areas listed below); prior arrest or conviction record; predisposing genetic characteristics; pregnancy-related conditions.

Reasonable accommodations for persons with disabilities and pregnancy-related conditions including lactation may be required. A reasonable accommodation is an adjustment to a job or work environment that enables a person with a disability to perform the essential functions of a job in a reasonable manner.

Also covered: domestic workers; interns and nonemployees working in the workplace (for example temp or contract workers) are protected from all discrimination described above.

**RENTAL, LEASE OR SALE OF HOUSING, LAND AND COMMERCIAL SPACE, INCLUDING ACTIVITIES OF REAL ESTATE BROKERS AND SALES PEOPLE**

Also prohibited: discrimination on the basis of lawful source of income (for example housing vouchers, disability benefits, child support); familial status (families with children or being pregnant); prior arrest or sealed conviction; commercial boycotts or blockbusting.

Reasonable accommodations and modifications for persons with disabilities may also be required.

Does not apply to:
(1) rental of an apartment in an owner-occupied two-family house
(2) restrictions of all rooms in a housing accommodation to individuals of the same sex
(3) rental of a room by the occupant of a house or apartment
(4) sale, rental, or lease of accommodations of housing exclusively to persons 55 years of age or older, and the spouse of such persons

**ALL CREDIT TRANSACTIONS INCLUDING FINANCING FOR PURCHASE, MAINTENANCE AND REPAIR OF HOUSING**

**PLACES OF PUBLIC ACCOMMODATION SUCH AS RESTAURANTS, HOTELS, HOSPITALS AND MEDICAL OFFICES, CLUBS, PARKS AND GOVERNMENT OFFICES**

Exception:
Age is not a covered classification relative to public accommodations
Reasonable accommodations for persons with disabilities may also be required.

**EDUCATION INSTITUTIONS**

All public schools and private nonprofit schools, at all education levels, excluding those run by religious organizations; also for-profit colleges, universities, licensed private career schools or certified English as a second language schools.

**ADVERTISING AND APPLICATIONS RELATING TO EMPLOYMENT, REAL ESTATE, PLACES OF PUBLIC ACCOMMODATION AND CREDIT TRANSACTIONS MAY NOT EXPRESS ANY DISCRIMINATION**

A complaint must be filed with the Division within one year for alleged acts of discrimination that occurred on or before 2/14/2024. Complaints for acts of discrimination that occur on or after 2/15/2024 may be filed within three years of the alleged act. A complaint alleging sexual harassment in employment that occurred on or after 08/12/2020 may be filed with three years of the alleged act. The Division's services are provided free of charge.

If you wish to file a complaint in State Court, you may do so within three years of the discrimination. You may not file both with the Division and the State Court.

**Retaliation for filing a complaint or opposing discriminatory practices is prohibited. You may file a complaint with the Division if you have been retaliated against.**

FOR FURTHER INFORMATION, WRITE OR CALL THE DIVISION'S NEAREST OFFICE. HEADQUARTERS:
ONE FORDHAM PLAZA, 4TH FLOOR, BRONX, NY 10458

ESTE ESTABLECIMIENTO ESTÁ SUJETO A LA LEY DE DERECHOS HUMANOS DEL ESTADO DE NUEVA YORK (LEY EJECUTIVA, SECCIÓN 15)

**La ley de derechos humanos del estado de nueva york prohíbe la discriminación por edad, raza, credo, color, origen nacional, orientación sexual, estatus militar, sexo, embarazo, identidad o expresión de género, ciudadanía o estatus migratorio, discapacidad, estado como víctima de violencia doméstica, estado familiar, o estado civil. También está prohibido el acoso sexual o el acoso por cualquiera de estas clases protegidas.**

**TODOS LOS EMPLEADORES, AGENCIAS DE EMPLEO, ORGANIZACIONES DE TRABAJO Y PROGRAMAS DE CAPACITACIÓN DE APRENDICES**

Asimismo, está prohibida la discriminación en el empleo sobre la base de la observancia del Shabat o prácticas religiosas; peinados asociados con la raza (también se aplica a las áreas enumeradas a continuación) arresto previo o antecedentes penales; las características genéticas predisponentes; las condiciones relacionadas con el embarazo.

Es posible que sea necesario hacer acomodos razonables para personas con discapacidades y condiciones relacionadas con el embarazo incluyendo lactación. Un arreglo razonable es una adaptación a un trabajo o entorno laboral que permita que una persona con discapacidad realice las tareas esenciales de un trabajo de manera razonable.

También están cubiertos: trabajadores domésticos; internos y no empleados cuales trabajan en el lugar de trabajo (por ejemplo trabajadores temporarios o contratantes) están protegidos de toda discriminación descrita arriba.

**ALQUILER, ARRENDAMIENTO O VENTA DE VIVIENDA, TERRENO O ESPACIO COMERCIAL INCLUYENDO ACTIVIDADES DE AGENTE DE BIENES RAICES Y VENDEDORES**

También esta prohibido: la discriminación a base de fuente de ingreso legal (por ejemplo vales, beneficios de discapacidad, manutención de niños); estado familiar (familias con niños o en estado de embarazo); arresto previo o condena sellada; boicot comercial o acoso inmobiliario.

También es posible que sea necesario realizar modificaciones y arreglos razonables para personas con discapacidades.

Excepciones:
(1) alquiler de un apartamento en una casa para dos familias ocupada por el dueño
(2) restricciones de todas las habitaciones en una vivienda para individuos del mismo sexo
(3) alquiler de una habitación por parte del ocupante de una casa o apartamento
(4) venta, alquiler o arrendamiento de alojamiento en una casa exclusivamente a personas mayores de 55 años y al cónyuge de dichas personas

**TODAS TRANSACCIONES CREDITICIAS INCLUYENDO FINANCIAMENTO PARA LA COMPRA, MANTENIMIENTO Y REPARACION DE VIVIENDAS**

**LUGARES DE ALOJAMIENTO PÚBLICO, COMO RESTAURANTES, HOTELES, HOSPITALES Y CONSULTORIOS MÉDICOS, CLUBS, PARQUES Y OFFICINAS DEL GOBIERNO.**

Excepción:
La edad no es una clasificación cubierta respecto a los alojamientos públicos.
Es posible que sea necesario realizar arreglos razonables para personas con discapacidades.

**INSTITUCIONES EDUCATIVAS**

Todas las escuelas publicas y escuelas privadas sin ánimo de lucro, en todos los niveles, excluyendo escuelas dirigidas por organizaciones religiosas; también están cubiertos: escuelas profesionales autorizadas o escuelas certificadas de inglés como segundo idioma.

**PUBLICIDAD Y SOLICITUDES RELACIONADAS CON EL EMPLEO, LOS INMUEBLES, LOS LUGARES DE ALOJAMIENTO PÚBLICO Y LAS TRANSACCIONES CREDITICIAS NO DEBEN EXPRESAR NINGUN ACTO DISCRIMINATORIO**

Para actos que ocurran el 14/02/2024 o antes, debe presentar su querella en un plazo de un año a partir del acto más reciente de presunta discriminación. Para actos realizados a partir del 15/02/2024, debe presentar su querella en un plazo de tres años posterior al acto más reciente de presunta discriminación. Una denuncia que alega acoso sexual en el empleo que ocurrió a partir del 12/08/2020 puede presentarse con tres años del presunto acto. Los servicios de la División se ofrecen sin cargo.

Si desea presentar una demanda ante el Tribunal Estatal, puede hacerlo dentro de los tres años desde que ocurriera la discriminación. No puede presentar una demanda ante la División y ante el Tribunal Estatal.

**Se prohíben las represalias por presentar una demanda u oponerse a prácticas discriminatorias. Puede presentar una demanda ante la División si sufrió represalias.**

PARA OBTENER MÁS INFORMACIÓN, ESCRIBA O LLAME A LA OFICINA MÁS CERCANA DE LA DIVISIÓN. OFICINA CENTRAL:
ONE FORDHAM PLAZA. 4TH FLOOR, BRONX, NY 10458

# STATE OF NEW YORK

An employee shall be advised that any and all telephone conversations or transmissions, electronic mail or transmissions, or internet access or usage by an employee by any electronic device or system, including but not limited to the use of a computer, telephone, wire, radio or electromagnetic, photoelectronic or photo-optical systems may be subject to monitoring at any and all times and by any lawful means.

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# ESTADO DE NUEVA YORK

Se informará a un empleado que todas y cada una de las conversaciones o transmisiones telefónicas, correo electrónico o transmisiones, o acceso o uso de Internet por parte de un empleado mediante cualquier dispositivo o sistema electrónico, incluyendo, entre otros, el uso de una computadora, teléfono, cable, radio o sistemas electromagnéticos, fotoelectrónicos o fotoópticos pueden ser objeto de vigilancia en todo momento y por cualquier medio lícito.

**New York Labor Law**

§ 201-d. Discrimination against the engagement in certain activities.

1. Definitions. As used in this section:
   a. "Political activities" shall mean (i) running for public office, (ii) campaigning for a candidate for public office, or (iii) participating in fund-raising activities for the benefit of a candidate, political party or political advocacy group;
   b. "Recreational activities" shall mean any lawful, leisure-time activity, for which the employee receives no compensation and which is generally engaged in for recreational purposes, including but not limited to sports, games, hobbies, exercise, reading and the viewing of television, movies and similar material;
   c. "Work hours" shall mean, for purposes of this section, all time, including paid and unpaid breaks and meal periods, that the employee is suffered, permitted or expected to be engaged in work, and all time the employee is actually engaged in work. This definition shall not be referred to in determining hours worked for which an employee is entitled to compensation under any law including article nineteen of this chapter;
   d. "Political matters" shall mean matters relating to elections for political office, political parties, legislation, regulation and the decision to join or support any political party or political, civic, community, fraternal or labor organization;
   e. "Religious matters" shall mean matters relating to religious affiliation and practice and the decision to join or support any religious organization or association.
2. Unless otherwise provided by law, it shall be unlawful for any employer or employment agency to refuse to hire, employ or license, or to discharge from employment or otherwise discriminate against an individual in compensation, promotion or terms, conditions or privileges of employment because of:
   a. an individual's political activities outside of working hours, off of the employer's premises and without use of the employer's equipment or other property, if such activities are legal, provided, however, that this paragraph shall not apply to persons whose employment is defined in paragraph six of subdivision (a) of section seventy-nine-h of the civil rights law, and provided further that this paragraph shall not apply to persons who would otherwise be prohibited from engaging in political activity pursuant to chapter 15 of title 5 and subchapter lll of chapter 73 of title 5 of the USCA;
   b. an individual's legal use of consumable products, including cannabis in accordance with state law, prior to the beginning or after the conclusion of the employee's work hours, and off of the employer's premises and without use of the employer's equipment or other property;
   c. an individual's legal recreational activities, including cannabis in accordance with state law, outside work hours, off of the employer's premises and without use of the employer's equipment or other property;
   d. an individual's membership in a union or any exercise of rights granted under Title 29, USCA, Chapter 7 or under article fourteen of the civil service law; or
   e. an individual's refusal to: (i) attend an employer-sponsored meeting with the employer or its agent, representative or designee, the primary purpose of which is to communicate the employer's opinion concerning religious or political matters; or (ii) listen to speech or view communications, the primary purpose of which is to communicate the employer's opinion concerning religious or political matters.
3. The provisions of subdivision two of this section shall not be deemed to protect activity which:
   a. creates a material conflict of interest related to the employer's trade secrets, proprietary information or other proprietary or business interest;
   b. with respect to employees of a state agency as defined in sections seventy-three and seventy-four of the public officers law respectively, is in knowing violation of subdivision two, three, four, five, seven, eight or twelve of section seventy-three or of section seventy-four of the public officers law, or of any executive order, policy, directive, or other rule which has been issued by the attorney general regulating outside employment or activities that could conflict with employees' performance of their official duties;
   c. with respect to employees of any employer as defined in section twenty-seven-a of this chapter, is in knowing violation of a provision of a collective bargaining agreement concerning ethics, conflicts of interest, potential conflicts of interest, or the proper discharge of official duties;
   d. with respect to employees of any employer as defined in section twenty-seven-a of this chapter who are not subject to section seventy-three or seventy-four of the public officers law, is in knowing violation of article eighteen of the general municipal law or any local law, administrative code provision, charter provision or rule or directive of the mayor or any agency head of a city having a population of one million or more, where such law, code provision, charter provision, rule or directive concerns ethics, conflicts of interest, potential conflicts of interest, or the proper discharge of official duties and otherwise covers such employees; and
   e. with respect to employees other than those of any employer as defined in section twenty-seven-a of this chapter, violates a collective bargaining agreement or a certified or licensed professional's contractual obligation to devote his or her entire compensated working hours to a single employer, provided however that the provisions of this paragraph shall apply only to professionals whose compensation is at least fifty thousand dollars for the year nineteen hundred ninety-two and in subsequent years is an equivalent amount adjusted by the same percentage as the annual increase or decrease in the consumer price index.
4. Notwithstanding the provisions of subdivision three of this section, an employer shall not be in violation of this section where the employer takes action based on the belief either that: (i) the employer's actions were required by statute, regulation, ordinance or other governmental mandate, (ii) the employer's actions were permissible pursuant to an established substance abuse or alcohol program or workplace policy, professional contract or collective bargaining agreement, or (iii) the individual's actions were deemed by an employer or previous employer to be illegal or to constitute habitually poor performance, incompetency or misconduct.

4-a. Notwithstanding the provisions of subdivision three or four of this section, an employer shall not be in violation of this section where the employer takes action related to the use of cannabis based on the following:
   (i) the employer's actions were required by state or federal statute, regulation, ordinance, or other state or federal governmental mandate;
   (ii) the employee is impaired by the use of cannabis, meaning the employee manifests specific articulable symptoms while working that decrease or lessen the employee's performance of the duties or tasks of the employee's job position, or such specific articulable symptoms interfere with an employer's obligation to provide a safe and healthy work place, free from recognized hazards, as required by state and federal occupational safety and health law; or
   (iii) the employer's actions would require such employer to commit any act that would cause the employer to be in violation of federal law or would result in the loss of a federal contract or federal funding.

5. Nothing in this section shall apply to persons who, on an individual basis, have a professional service contract with an employer and the unique nature of the services provided is such that the employer shall be permitted, as part of such professional service contract, to limit the off-duty activities which may be engaged in by such individual.
6. Nothing in this section shall prohibit an organization or employer from offering, imposing or having in effect a health, disability or life insurance policy that makes distinctions between employees for the type of coverage or the price of coverage based upon the employees' recreational activities or use of consumable products, provided that differential premium rates charged employees reflect a differential cost to the employer and that employers provide employees with a statement delineating the differential rates used by the carriers providing insurance for the employer, and provided further that such distinctions in type or price of coverage shall not be utilized to expand, limit or curtail the rights or liabilities of any party with regard to a civil cause of action.
7. a. Where a violation of this section is alleged to have occurred, the attorney general may apply in the name of the people of the state of New York for an order enjoining or restraining the commission or continuance of the alleged unlawful acts. In any such proceeding, the court may impose a civil penalty in the amount of three hundred dollars for the first violation and five hundred dollars for each subsequent violation.
   b. In addition to any other penalties or actions otherwise applicable pursuant to this chapter, where a violation of this section is alleged to have occurred, an aggrieved individual may commence an action for equitable relief and damages.
8. Nothing in this section shall prohibit: (i) an employer or its agent, representative or designee from communicating to its employees any information that the employer is required by law to communicate, but only to the extent of such legal requirement; (ii) an employer or its agent, representative or designee from communicating to its employees any information that is necessary for such employees to perform their job duties; (iii) an institution of higher education, or any agent, representative or designee of such institution, from meeting with or participating in any communications with its employees that are part of coursework, any symposia or an academic program at such institution; (iv) casual conversations between employees or between an employee and an agent, representative or designee of an employer, provided participation in such conversations is not required; or (v) a requirement limited to the employer's managerial and supervisory employees.
9. The provisions of this section shall not apply to a religious corporation, entity, association, educational institution or society that is exempt from the requirements of Title VII of the Civil Rights Act of 1964 pursuant to 42 USC 2000e-1(a) with respect to speech on religious matters to employees who perform work connected with the activities undertaken by such religious corporation, entity, association, educational institution or society.
10. Every employer shall post a sign in every workplace at the location or locations where notices to employees are normally posted, to inform employees of their rights pursuant to this section.



LaborLawCenter.com Questions? Learn more by calling 1-800-745-9970

Official Print Size - 8.5" x 11"
Compliance Ready - Do Not Scale

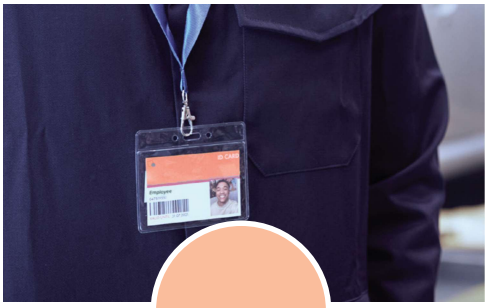
# *Child Labor Violation Prevention*
# Color-Coded Schedules and Badges

In New York State, employers are required to post schedules that show the hours minors start work, end work, and have allotted for meals. The New York State Department of Labor encourages developing a process that color-codes schedules and employee IDs or badges based on the type of working permit (working papers) each minor employee holds.

This will help ensure that employers and management are aware of the age of workers and reminded of the tasks they can and cannot perform under state and federal child labor law, thus ensuring the workers and business are protected from violations.

**14-15-YEAR-OLDS**

**16-17-YEAR-OLDS**



**16-17-YEAR-OLDS**
*(out of school)*

## WORK SCHEDULE | *FOR MINORS*

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NEW YORK STATE | Department of Labor

### SCHEDULE FOR 14- AND 15- YEAR OLDS

**During the School Year ( Labor Day - June 15 )**

| NAME OF MINOR | SUN | MON | TUE | WED | THUR | FRI | SAT | TOTAL HOURS |
|---|---|---|---|---|---|---|---|---|
| Jill Jones | 4p-7p | | 4p-7p | | | | 9a-12p | |
| SHIFT HOURS | 3hr | | 3hr | | | | 3hr | 9 |
| Amara Lee | | 12p-3p | | 4p-7p | 4p-7p | | 9a-4p* | |
| SHIFT HOURS | | 3hr | | 3hr | 3hr | | 7hr | 16 |
| Anwar Reza | 9a-4p* | | | | | 4p-7p | | |
| SHIFT HOURS | 7hr | | | | | 3hr | | 10 |

* Meal Break: 12-12:30

**State and Federal Guidelines:**
- 3 hours on a school day (not during school hours, or past 7 pm)
- 18 hours in a school week (a school week is any week that no class is held in any amount)
- 8 hours on a non-school day (Saturday or Sunday or non-school days, but not after 7 pm)
- Not employed or performing hazardous duties as defined by USDOL and NYSDOL

**During the Summer ( June 16 - Labor Day )**

| NAME OF MINOR | SUN | MON | TUE | WED | THUR | FRI | SAT | TOTAL HOURS |
|---|---|---|---|---|---|---|---|---|
| Jill Jones | | 4p-9p | 9a-4p* | | | 4p-9p | 9a-4p* | |
| SHIFT HOURS | | 5hr | 7hr | | | 5hr | 7hr | 24 |
| Amara Lee | 9a-4p* | 9a-4p* | | 9a-4p* | 9a-4p* | | | |
| SHIFT HOURS | 7hr | 7hr | | 7hr | 7hr | | | 28 |
| Anwar Reza | 9a-4p* | | | | 4p-9p | 9a-4p* | 4p-9p | |
| SHIFT HOURS | 7hr | | | | 5hr | 7hr | 5hr | 24 |
| Miles Phillips | 4p-9p | | 4p-9p | 4p-9p | 4p-9p | 4p-9p | | |
| SHIFT HOURS | 5hr | | 5hr | 5hr | 5hr | 5hr | | 25 |

* Meal Break: 12-12:30

**State and Federal Guidelines:**
- 8 hours on a non-school day (not after 9 pm)
- 40 hours in a non-school week
- Not employed or performing hazardous duties as defined by USDOL and NYSDOL

### SCHEDULE FOR 16- AND 17- YEAR OLDS

**During the School Year ( Labor Day - June 15 )**

| NAME OF MINOR | SUN | MON | TUE | WED | THUR | FRI | SAT | TOTAL HOURS |
|---|---|---|---|---|---|---|---|---|
| Mike Woods | | 9a-1p | 9a-1p | 9a-1p | 9a-1p | 9a-4p* | | |
| SHIFT HOURS | | 4hr | 4hr | 4hr | 4hr | 7hr | | 23 |
| Amber Fallon | 4p-12a° | | | | | 4p-12a° | 4p-12a° | |
| SHIFT HOURS | 8hr | | | | | 8hr | 8hr | 24 |
| Aaron Liu | 4p-10p° | | | 4p-10p° | 4p-10p° | 4p-12a° | 4p-12a° | |
| SHIFT HOURS | 6hr | | | 6hr | 6hr | 8hr | 8hr | 34 |

* Meal Break: 12-12:30
° Meal Break: 7-7:30

**State and Federal Guidelines:**
- Up to 4 hours Monday through Thursday
- Up to 8 hours Friday through Sunday and Holidays
- Work hours can be between 6 AM and 10 PM on school night; 6 AM and 12 AM on non-school days
- Not employed or performing hazardous duties as defined by USDOL and NYSDOL

**During the Summer ( June 16 - Labor Day )**

| NAME OF MINOR | SUN | MON | TUE | WED | THUR | FRI | SAT | TOTAL HOURS |
|---|---|---|---|---|---|---|---|---|
| Mike Woods | | 9a-4p* | 9a-4p* | 9a-4p* | 9a-4p* | | | |
| SHIFT HOURS | | 7hr | 7hr | 7hr | 7hr | | | 28 |
| Amber Fallon | 4p-12a° | | | | 4p-12a° | 4p-12a° | 4p-12a° | |
| SHIFT HOURS | 8hr | | | | 8hr | 8hr | 8hr | 32 |
| Aaron Liu | 9a-4p* | | | | | | 9a-4p* | |
| SHIFT HOURS | 7hr | | | | | | 7hr | 14 |
| Sid Kumar | 4p-12a° | 4p-12a° | 4p-12a° | 4p-12a° | | | | |
| SHIFT HOURS | 8hr | 8hr | 8hr | 8hr | | | | 32 |

* Meal Break: 12-12:30
° Meal Break: 7-7:30

P888 (5/23)

WE ARE YOUR DOL
NEW YORK STATE | Department of Labor

P879 (5/23)

# NEW YORK SCHEDULE OF HOURS OF WORK FOR MINORS

## WORK SCHEDULE | *FOR MINORS*

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NEW YORK STATE | Department of Labor

### SCHEDULE FOR 14- AND 15- YEAR OLDS

**During the School Year ( Labor Day - June __ )**

| NAME OF MINOR | SUN | MON | TUE | WED | THUR | FRI | SAT | TOTAL HOURS |
|---|---|---|---|---|---|---|---|---|
| | | | | | | | | |
| *SHIFT HOURS* | | | | | | | | |
| | | | | | | | | |
| *SHIFT HOURS* | | | | | | | | |
| | | | | | | | | |
| *SHIFT HOURS* | | | | | | | | |

**State and Federal Guidelines:**
- 3 hours on a school day (not during school hours, or past 7 pm)
- 18 hours in a school week (a school week is any week that no class is held in any amount)
- 8 hours on a non-school day (Saturday or Sunday or non-school days, but not after 7 pm)
- Not employed or performing hazardous duties as defined by USDOL and NYSDOL

**During the Summer ( June __ - Labor Day )**

| NAME OF MINOR | SUN | MON | TUE | WED | THUR | FRI | SAT | TOTAL HOURS |
|---|---|---|---|---|---|---|---|---|
| | | | | | | | | |
| *SHIFT HOURS* | | | | | | | | |
| | | | | | | | | |
| *SHIFT HOURS* | | | | | | | | |
| | | | | | | | | |
| *SHIFT HOURS* | | | | | | | | |
| | | | | | | | | |
| *SHIFT HOURS* | | | | | | | | |

**State and Federal Guidelines:**
- 8 hours on a non-school day (not after 9 pm)
- 40 hours in a non-school week
- Not employed or performing hazardous duties as defined by USDOL and NYSDOL

### SCHEDULE FOR 16- AND 17- YEAR OLDS

**During the School Year ( Labor Day - June __ )**

| NAME OF MINOR | SUN | MON | TUE | WED | THUR | FRI | SAT | TOTAL HOURS |
|---|---|---|---|---|---|---|---|---|
| | | | | | | | | |
| *SHIFT HOURS* | | | | | | | | |
| | | | | | | | | |
| *SHIFT HOURS* | | | | | | | | |
| | | | | | | | | |
| *SHIFT HOURS* | | | | | | | | |

**State and Federal Guidelines:**
- Up to 4 hours Monday through Thursday
- Up to 8 hours Friday through Sunday and Holidays
- Work hours can be between 6 AM and 10 PM on school night; 6 AM and 12 AM on non-school days
- Not employed or performing hazardous duties as defined by USDOL and NYSDOL

**During the Summer ( June __ - Labor Day )**

| NAME OF MINOR | SUN | MON | TUE | WED | THUR | FRI | SAT | TOTAL HOURS |
|---|---|---|---|---|---|---|---|---|
| | | | | | | | | |
| *SHIFT HOURS* | | | | | | | | |
| | | | | | | | | |
| *SHIFT HOURS* | | | | | | | | |
| | | | | | | | | |
| *SHIFT HOURS* | | | | | | | | |
| | | | | | | | | |
| *SHIFT HOURS* | | | | | | | | |

**State and Federal Guidelines:**
- Up to 8 hours per day
- No more than 48 hours or 6 days per week
- Work hours can be between 6 AM and 12 AM
- Not employed or performing hazardous duties as defined by USDOL and NYSDOL

**P888 (5/23)**

NEW YORK STATE | Department of Labor

WORKING FOR YOU

Division of Labor Standards

# Summary of New York State Child Labor Law, Permitted Working Hours for Minors Under 18 Years of Age

| Age of Minor Girls and Boys | | Industry or Occupation | Maximum | | | Permitted Hours |
|---|---|---|---|---|---|---|
| | | | Daily Hours | Weekly Hours | Days per Week | |
| **Attending School, When school is in session:** | 14 and 15 | All occupations except farm work, newspaper carrier and street trades. | 3 hours on school days.<br>8 hours on other days. | 18[1] | 6 | 7 AM to 7 PM |
| | 16 and 17 | All occupations except farm work, newspaper carrier and street trades. | 4 hours on days preceding school days: Monday, Tuesday, Wednesday, Thursday[2].<br>8 hours on: Friday, Saturday, Sunday and Holidays[4]. | 28[4] | 6[4] | 6 AM to 10 PM[3] |
| **Attending School, When school is not in session** (vacation): | 14 and 15 | All occupations except farm work, newspaper carrier and street trades. | 8 hours | 40 | 6 | 7 AM to 9 PM<br>June 21 to Labor Day |
| | 16 and 17 | All occupations except farm work, newspaper carrier and street trades. | 8 hours[4] | 48[4] | 6[4] | 6 AM to Midnight[4] |
| **Not Attending School:** | 16 and 17 | All occupations except farm work, newspaper carrier and street trades. | 8 hours[4] | 48[4] | 6[4] | 6 AM to Midnight[4] |
| **Farm Work:** | 12 and 13 | Hand harvest of berries, fruits and vegetables. | 4 hours | ------ | -------- | June 21 to Labor Day, 7 AM to 7 PM.<br><br>Day after Labor Day to June 20, 9 AM to 4 PM. |
| | 14 to 18 | Any farm work. | ---------- | ------ | -------- | ---------- |
| **Newspaper Carriers:** | 11 to 18 | Delivers, or sells and delivers newspapers, shopping papers or periodicals to homes or business places. | 4 hours on school days.<br>5 hours on other days. | ------ | -------- | 5 AM to 7 PM or 30 minutes prior to sunset, whichever is later |
| **Street Trades:** | 14 to 18 | Self-employed work in public places selling newspapers or work as a bootblack. | 4 hours on school days.<br>5 hours on other days. | ------ | -------- | 6 AM to 7 PM |

[1] Students 14 and 15 enrolled in an approved work/study program may work 3 hours on a school day, 23 hours in any one-week when school is in session.

[2] Students 16 and 17 enrolled in an approved Cooperative Education Program may work up to 6 hours on a day preceding a school day other than a Sunday or Holiday when school is in session, as long as the hours are in conjunction with the Program.

[3] 6 AM to 10 PM or until midnight with written parental and educational authorities consent on day preceding a school day and until midnight on day preceding a non-school day with written parental consent.

[4] This provision does not apply to minors employed in resort hotels or restaurants in resort areas.

# Additional Child Labor Law Information

**The Employer must post a schedule of work hours for minors under 18 years old in the establishment.**

**An Employment Certificate (Working Paper)** is required for all employed minors under 18 years old.

**Penalties for Child Labor Laws violations:**

- First violation: maximum $1,000*
- Second violation: maximum $2,000*
- Third or more violations: maximum $3,000*

*If a minor is seriously injured or dies while illegally employed, the penalty is three times the maximum penalty.

Also, Section 14A of the Workers' Compensation Law provides double compensation and death benefits for minors illegally employed.

Note: There are many prohibited occupations for minors in New York State.

**For more information about New York State Child Labor Laws and provisions** please visit the Department of Labor's website at http://www.labor.ny.gov. If you have questions, please send them to one of the offices listed below at:

**New York State Department of Labor, Division of Labor Standards:**

**Albany District**
1220 Washington Ave.
Bldg. 12 Room 185A
Albany, NY 12226
(518) 457-2730

**Buffalo District**
295 Main Street
Suite 914
Buffalo, NY 14203
(716) 847-7141

**New York City District**
55 Hanson Place
11th Floor
Brooklyn, NY 11217
(212) 775-3880

**Syracuse District**
333 East Washington Street
Room 121
Syracuse, NY 13202
(315) 428-4057

**Bronx District**
55 Hanson Place
11th Floor
Brooklyn, NY 11217
(212) 775-3597

**Garden City District**
400 Oak Street
Suite 102
Garden City, NY 11530
(516) 794-8195

**Rochester District**
276 Waring Road
Room 104
Rochester, NY 14609
(585) 258-4550

**White Plains District**
120 Bloomingdale Road
White Plains, NY 10605
(914) 997-9521

# EMPLOYEE RIGHTS

## UNDER THE FAIR LABOR STANDARDS ACT

## FEDERAL MINIMUM WAGE

# $7.25 PER HOUR

**BEGINNING JULY 24, 2009**

**The law requires employers to display this poster where employees can readily see it.**

**OVERTIME PAY**

At least 1½ times the regular rate of pay for all hours worked over 40 in a workweek.

**CHILD LABOR**

An employee must be at least 16 years old to work in most non-farm jobs and at least 18 to work in non-farm jobs declared hazardous by the Secretary of Labor. Youths 14 and 15 years old may work outside school hours in various non-manufacturing, non-mining, non-hazardous jobs with certain work hours restrictions. Different rules apply in agricultural employment.

**TIP CREDIT**

Employers of "tipped employees" who meet certain conditions may claim a partial wage credit based on tips received by their employees. Employers must pay tipped employees a cash wage of at least $2.13 per hour if they claim a tip credit against their minimum wage obligation. If an employee's tips combined with the employer's cash wage of at least $2.13 per hour do not equal the minimum hourly wage, the employer must make up the difference.

**PUMP AT WORK**

The FLSA requires employers to provide reasonable break time for a nursing employee to express breast milk for her nursing child for one year after the child's birth each time the employee needs to express breast milk. Employers must provide a place, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public, which may be used by the employee to express breast milk.

**ENFORCEMENT**

The Department has authority to recover back wages and an equal amount in liquidated damages in instances of minimum wage, overtime, and other violations. The Department may litigate and/or recommend criminal prosecution. Employers may be assessed civil money penalties for each willful or repeated violation of the minimum wage or overtime pay provisions of the law. Civil money penalties may also be assessed for violations of the FLSA's child labor provisions. Heightened civil money penalties may be assessed for each child labor violation that results in the death or serious injury of any minor employee, and such assessments may be doubled when the violations are determined to be willful or repeated. The law also prohibits retaliating against or discharging workers who file a complaint or participate in any proceeding under the FLSA.

**ADDITIONAL INFORMATION**

- Certain occupations and establishments are exempt from the minimum wage, and/or overtime pay provisions. Certain narrow exemptions also apply to the pump at work requirements.
- Special provisions apply to workers in American Samoa, the Commonwealth of the Northern Mariana Islands, and the Commonwealth of Puerto Rico.
- Some state laws provide greater employee protections; employers must comply with both.
- Some employers incorrectly classify workers as "independent contractors" when they are actually employees under the FLSA. It is important to know the difference between the two because employees (unless exempt) are entitled to the FLSA's minimum wage and overtime pay protections and correctly classified independent contractors are not.
- Certain full-time students, student learners, apprentices, and workers with disabilities may be paid less than the minimum wage under special certificates issued by the Department of Labor.

WHD
WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

1-866-487-9243
www.dol.gov/agencies/whd

WH1088 REV 04/23

# EEOC - Know Your Rights: Workplace Discrimination is Illegal

## Know Your Rights: **Workplace Discrimination is Illegal**

**The U.S. Equal Employment Opportunity Commission (EEOC) enforces Federal laws that protect you from discrimination in employment. If you believe you've been discriminated against at work or in applying for a job, the EEOC may be able to help.**

**Who is Protected?**
- Employees (current and former), including managers and temporary employees
- Job applicants
- Union members and applicants for membership in a union

**What Organizations are Covered?**
- Most private employers
- State and local governments (as employers)
- Educational institutions (as employers)
- Unions
- Staffing agencies

**What Types of Employment Discrimination are Illegal?**

Under the EEOC's laws, an employer may not discriminate against you, regardless of your immigration status, on the bases of:
- Race
- Color
- Religion
- National origin
- Sex (including pregnancy, childbirth, and related medical conditions, sexual orientation, or gender identity)
- Age (40 and older)
- Disability
- Genetic information (including employer requests for, or purchase, use, or disclosure of genetic tests, genetic services, or family medical history)
- Retaliation for filing a charge, reasonably opposing discrimination, or participating in a discrimination lawsuit, investigation, or proceeding
- Interference, coercion, or threats related to exercising rights regarding disability discrimination or pregnancy accommodation

**What Employment Practices can be Challenged as Discriminatory?**

All aspects of employment, including:
- Discharge, firing, or lay-off
- Harassment (including unwelcome verbal or physical conduct)
- Hiring or promotion
- Assignment
- Pay (unequal wages or compensation)
- Failure to provide reasonable accommodation for a disability; pregnancy, childbirth, or related medical condition; or a sincerely-held religious belief, observance or practice
- Benefits
- Job training
- Classification
- Referral
- Obtaining or disclosing genetic information of employees
- Requesting or disclosing medical information of employees
- Conduct that might reasonably discourage someone from opposing discrimination, filing a charge, or participating in an investigation or proceeding
- Conduct that coerces, intimidates, threatens, or interferes with someone exercising their rights, or someone assisting or encouraging someone else to exercise rights, regarding disability discrimination (including accommodation) or pregnancy accommodation

**What can You Do if You Believe Discrimination has Occurred?**

Contact the EEOC promptly if you suspect diascrimination. Do not delay, because there are strict time limits for filing a charge of discrimination (180 or 300 days, depending on where you live/work). You can reach the EEOC in any of the following ways:

**Submit** an inquiry through the EEOC's public portal: *https://publicportal.eeoc.gov/Portal/Login.aspx*

**Call** 1–800–669–4000 (toll free)
1–800–669–6820 (TTY)
1–844–234–5122 (ASL video phone)

**Visit** an EEOC field office (information at *www.eeoc.gov/field-office*)

**E-Mail** *info@eeoc.gov*

Additional information about the EEOC, including information about filing a charge of discrimination, is available at *www.eeoc.gov*.

### EMPLOYERS HOLDING FEDERAL CONTRACTS OR SUBCONTRACTS

The Department of Labor's Office of Federal Contract Compliance Programs (OFCCP) enforces the nondiscrimination and affirmative action commitments of companies doing business with the Federal Government. If you are applying for a job with, or are an employee of, a company with a Federal contract or subcontract, you are protected under Federal law from discrimination on the following bases:

**Race, Color, Religion, Sex, Sexual Orientation, Gender Identity, National Origin** Executive Order 11246, as amended, prohibits employment discrimination by Federal contractors based on race, color, religion, sex, sexual orientation, gender identity, or national origin, and requires affirmative action to ensure equality of opportunity in all aspects of employment.

**Asking About, Disclosing, or Discussing Pay** Executive Order 11246, as amended, protects applicants and employees of Federal contractors from discrimination based on inquiring about, disclosing, or discussing their compensation or the compensation of other applicants or employees.

**Disability** Section 503 of the Rehabilitation Act of 1973, as amended, protects qualified individuals with disabilities from discrimination in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment by Federal contractors. Disability discrimination includes not making reasonable accommodation to the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, barring undue hardship to the employer. Section 503 also requires that Federal contractors take affirmative action to employ and advance in employment qualified individuals with disabilities at all levels of employment, including the executive level.

**Protected Veteran Status** The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C. 4212, prohibits employment discrimination against, and requires affirmative action to recruit, employ, and advance in employment, disabled veterans, recently separated veterans (i.e., within three years of discharge or release from active duty), active duty wartime or campaign badge veterans, or Armed Forces service medal veterans.

**Retaliation** Retaliation is prohibited against a person who files a complaint of discrimination, participates in an OFCCP proceeding, or otherwise opposes discrimination by Federal contractors under these Federal laws. Any person who believes a contractor has violated its nondiscrimination or affirmative action obligations under OFCCP's authorities should contact immediately:

The Office of Federal Contract Compliance Programs (OFCCP)
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, D.C. 20210
1–800–397–6251 (toll-free)

If you are deaf, hard of hearing, or have a speech disability, please dial 7–1–1 to access telecommunications relay services. OFCCP may also be contacted by submitting a question online to OFCCP's Help Desk at *https://ofccphelpdesk.dol.gov/s/*, or by calling an OFCCP regional or district office, listed in most telephone directories under U.S. Government, Department of Labor and on OFCCP's "Contact Us" webpage at *https://www.dol.gov/agencies/ofccp/contact*.

### PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE

**Race, Color, National Origin, Sex** In addition to the protections of Title VII of the Civil Rights Act of 1964, as amended, Title VI of the Civil Rights Act of 1964, as amended, prohibits discrimination on the basis of race, color or national origin in programs or activities receiving Federal financial assistance. Employment discrimination is covered by Title VI if the primary objective of the financial assistance is provision of employment, or where employment discrimination causes or may cause discrimination in providing services under such programs. Title IX of the Education Amendments of 1972 prohibits employment discrimination on the basis of sex in educational programs or activities which receive Federal financial assistance.

**Individuals with Disabilities** Section 504 of the Rehabilitation Act of 1973, as amended, prohibits employment discrimination on the basis of disability in any program or activity which receives Federal financial assistance. Discrimination is prohibited in all aspects of employment against persons with disabilities who, with or without reasonable accommodation, can perform the essential functions of the job. If you believe you have been discriminated against in a program of any institution which receives Federal financial assistance, you should immediately contact the Federal agency providing such assistance.

*(Revised 6/27/2023)*

# Your Employee Rights Under the Family and Medical Leave Act

## What is FMLA leave?

The Family and Medical Leave Act (FMLA) is a federal law that provides eligible employees with **job-protected leave** for qualifying family and medical reasons. The U.S. Department of Labor's Wage and Hour Division (WHD) enforces the FMLA for most employees.

Eligible employees can take **up to 12 workweeks** of FMLA leave in a 12-month period for:

- The birth, adoption or foster placement of a child with you,
- Your serious mental or physical health condition that makes you unable to work,
- To care for your spouse, child or parent with a serious mental or physical health condition, and
- Certain qualifying reasons related to the foreign deployment of your spouse, child or parent who is a military servicemember.

An eligible employee who is the spouse, child, parent or next of kin of a covered servicemember with a serious injury or illness **may take up to 26 workweeks** of FMLA leave in a single 12-month period to care for the servicemember.

You have the right to use FMLA leave in **one block of time**. When it is medically necessary or otherwise permitted, you may take FMLA leave **intermittently in separate blocks of time, or on a reduced schedule** by working less hours each day or week. Read Fact Sheet #28M(c) for more information.

FMLA leave is **not paid leave**, but you may choose, or be required by your employer, to use any employer-provided paid leave if your employer's paid leave policy covers the reason for which you need FMLA leave.

## Am I eligible to take FMLA leave?

You are an **eligible employee** if **all** of the following apply:

- You work for a covered employer,
- You have worked for your employer at least 12 months,
- You have at least 1,250 hours of service for your employer during the 12 months before your leave, and
- Your employer has at least 50 employees within 75 miles of your work location.

Airline flight crew employees have different "hours of service" requirements.

You work for a **covered employer** if **one** of the following applies:

- You work for a private employer that had at least 50 employees during at least 20 workweeks in the current or previous calendar year,
- You work for an elementary or public or private secondary school, or
- You work for a public agency, such as a local, state or federal government agency. Most federal employees are covered by Title II of the FMLA, administered by the Office of Personnel Management.

## How do I request FMLA leave?

Generally, **to request FMLA leave you must**:

- Follow your employer's normal policies for requesting leave,
- Give notice at least 30 days before your need for FMLA leave, or
- If advance notice is not possible, give notice as soon as possible.

You **do not have to share a medical diagnosis** but must provide enough information to your employer so they can determine whether the leave qualifies for FMLA protection. You **must also inform your employer if FMLA leave was previously taken** or approved for the same reason when requesting additional leave.

Your **employer may request certification** from a health care provider to verify medical leave and may request certification of a qualifying exigency.

The FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement that provides greater family or medical leave rights.

State employees may be subject to certain limitations in pursuit of direct lawsuits regarding leave for their own serious health conditions. Most federal and certain congressional employees are also covered by the law but are subject to the jurisdiction of the U.S. Office of Personnel Management or Congress.

## What does my employer need to do?

If you are eligible for FMLA leave, your **employer must**:

- Allow you to take job-protected time off work for a qualifying reason,
- Continue your group health plan coverage while you are on leave on the same basis as if you had not taken leave, and
- Allow you to return to the same job, or a virtually identical job with the same pay, benefits and other working conditions, including shift and location, at the end of your leave.

Your **employer cannot interfere with your FMLA rights** or threaten or punish you for exercising your rights under the law. For example, your employer cannot retaliate against you for requesting FMLA leave or cooperating with a WHD investigation.

After becoming aware that your need for leave is for a reason that may qualify under the FMLA, your **employer must confirm whether you are eligible** or not eligible for FMLA leave. If your employer determines that you are eligible, your **employer must notify you in writing**:

- About your FMLA rights and responsibilities, and
- How much of your requested leave, if any, will be FMLA-protected leave.

## Where can I find more information?

Call **1-866-487-9243** or visit **dol.gov/fmla** to learn more.

If you believe your rights under the FMLA have been violated, you may file a complaint with WHD or file a private lawsuit against your employer in court. **Scan the QR code to learn about our WHD complaint process**.

**WAGE AND HOUR DIVISION**
UNITED STATES DEPARTMENT OF LABOR

SCAN ME

# YOUR RIGHTS UNDER USERRA

## THE UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT

**USERRA protects the job rights of individuals who voluntarily or involuntarily leave employment positions to undertake military service or certain types of service in the National Disaster Medical System. USERRA also prohibits employers from discriminating against past and present members of the uniformed services, and applicants to the uniformed services.**

### REEMPLOYMENT RIGHTS

You have the right to be reemployed in your civilian job if you leave that job to perform service in the uniformed service and:

- ☆ you ensure that your employer receives advance written or verbal notice of your service;
- ☆ you have five years or less of cumulative service in the uniformed services while with that particular employer;
- ☆ you return to work or apply for reemployment in a timely manner after conclusion of service; and
- ☆ you have not been separated from service with a disqualifying discharge or under other than honorable conditions.

If you are eligible to be reemployed, you must be restored to the job and benefits you would have attained if you had not been absent due to military service or, in some cases, a comparable job.

### RIGHT TO BE FREE FROM DISCRIMINATION AND RETALIATION

If you:

- ☆ are a past or present member of the uniformed service;
- ☆ have applied for membership in the uniformed service; or
- ☆ are obligated to serve in the uniformed service;

then an employer may not deny you:

- ☆ initial employment;
- ☆ reemployment;
- ☆ retention in employment;
- ☆ promotion; or
- ☆ any benefit of employment

because of this status.

In addition, an employer may not retaliate against anyone assisting in the enforcement of USERRA rights, including testifying or making a statement in connection with a proceeding under USERRA, even if that person has no service connection.

### HEALTH INSURANCE PROTECTION

- ☆ If you leave your job to perform military service, you have the right to elect to continue your existing employer-based health plan coverage for you and your dependents for up to 24 months while in the military.
- ☆ Even if you don't elect to continue coverage during your military service, you have the right to be reinstated in your employer's health plan when you are reemployed, generally without any waiting periods or exclusions (e.g., pre-existing condition exclusions) except for service-connected illnesses or injuries.

### ENFORCEMENT

- ☆ The U.S. Department of Labor, Veterans Employment and Training Service (VETS) is authorized to investigate and resolve complaints of USERRA violations.
- ☆ For assistance in filing a complaint, or for any other information on USERRA, contact VETS at **1-866-4-USA-DOL** or visit its website at https://www.dol.gov/agencies/vets/. An interactive online USERRA Advisor can be viewed at https://webapps.dol.gov/elaws/vets/userra
- ☆ If you file a complaint with VETS and VETS is unable to resolve it, you may request that your case be referred to the Department of Justice or the Office of Special Counsel, as applicable, for representation.
- ☆ You may also bypass the VETS process and bring a civil action against an employer for violations of USERRA.

The rights listed here may vary depending on the circumstances. The text of this notice was prepared by VETS, and may be viewed on the internet at this address: https://www.dol.gov/agencies/vets/programs/userra/poster Federal law requires employers to notify employees of their rights under USERRA, and employers may meet this requirement by displaying the text of this notice where they customarily place notices for employees.

**U.S. Department of Labor**
**1-866-487-2365**

**U.S. Department of Justice**

**Office of Special Counsel**

**1-800-336-4590**

Publication Date — May 2022

# EMPLOYEE RIGHTS

## EMPLOYEE POLYGRAPH PROTECTION ACT

**The Employee Polygraph Protection Act prohibits most private employers from using lie detector tests either for pre-employment screening or during the course of employment.**

**PROHIBITIONS** Employers are generally prohibited from requiring or requesting any employee or job applicant to take a lie detector test, and from discharging, disciplining, or discriminating against an employee or prospective employee for refusing to take a test or for exercising other rights under the Act.

**EXEMPTIONS** Federal, State and local governments are not affected by the law. Also, the law does not apply to tests given by the Federal Government to certain private individuals engaged in national security-related activities. The Act permits polygraph (a kind of lie detector) tests to be administered in the private sector, subject to restrictions, to certain prospective employees of security service firms (armored car, alarm, and guard), and of pharmaceutical manufacturers, distributors and dispensers. The Act also permits polygraph testing, subject to restrictions, of certain employees of private firms who are reasonably suspected of involvement in a workplace incident (theft, embezzlement, etc.) that resulted in economic loss to the employer. The law does not preempt any provision of any State or local law or any collective bargaining agreement which is more restrictive with respect to lie detector tests.

**EXAMINEE RIGHTS** Where polygraph tests are permitted, they are subject to numerous strict standards concerning the conduct and length of the test. Examinees have a number of specific rights, including the right to a written notice before testing, the right to refuse or discontinue a test, and the right not to have test results disclosed to unauthorized persons.

**ENFORCEMENT** The Secretary of Labor may bring court actions to restrain violations and assess civil penalties against violators. Employees or job applicants may also bring their own court actions.

**THE LAW REQUIRES EMPLOYERS TO DISPLAY THIS POSTER WHERE EMPLOYEES AND JOB APPLICANTS CAN READILY SEE IT.**

**WAGE AND HOUR DIVISION**
UNITED STATES DEPARTMENT OF LABOR

**1-866-487-9243**
**www.dol.gov/agencies/whd**

WH1462 REV 02/22

U.S. Department of Labor

OSHA®
Occupational Safety and Health Administration

# Job Safety and Health
# IT'S THE LAW!

## All workers have the right to:

- A safe workplace.
- Raise a safety or health concern with your employer or OSHA, or report a work-related injury or illness, without being retaliated against.
- Receive information and training on job hazards, including all hazardous substances in your workplace.
- Request a confidential OSHA inspection of your workplace if you believe there are unsafe or unhealthy conditions. You have the right to have a representative contact OSHA on your behalf.
- Participate (or have your representative participate) in an OSHA inspection and speak in private to the inspector.
- File a complaint with OSHA within 30 days (by phone, online or by mail) if you have been retaliated against for using your rights.
- See any OSHA citations issued to your employer.
- Request copies of your medical records, tests that measure hazards in the workplace, and the workplace injury and illness log.

*This poster is available free from OSHA.*

## Employers must:

- Provide employees a workplace free from recognized hazards. It is illegal to retaliate against an employee for using any of their rights under the law, including raising a health and safety concern with you or with OSHA, or reporting a work-related injury or illness.
- Comply with all applicable OSHA standards.
- Notify OSHA within 8 hours of a workplace fatality or within 24 hours of any work-related inpatient hospitalization, amputation, or loss of an eye.
- Provide required training to all workers in a language and vocabulary they can understand.
- Prominently display this poster in the workplace.
- Post OSHA citations at or near the place of the alleged violations.

On-Site Consultation services are available to small and medium-sized employers, without citation or penalty, through OSHA-supported consultation programs in every state.

***Contact OSHA. We can help.***

**1-800-321-OSHA (6742) • TTY 1-877-889-5627 • www.osha.gov**

OSHA 3165-04R 2019

# ANTI-DISCRIMINATION NOTICE

It is illegal to discriminate against work authorized individuals. Employers CANNOT specify which document(s) they will accept from an employee. The refusal to hire an individual because the documents have a future expiration date may also constitute illegal discrimination.

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For information, please contact
The Office of Special Counsel for Immigration Related Unfair Employment Practices Office at 800-255-7688.

# WITHHOLDING STATUS

**Since you last filed form W-4 with your employer did you...**

- Marry or divorce?
- Gain or lose a dependent?
- Change your name?

**Were there major changes to...**

- Your non-wage income (interest, dividends, capital gains, etc.)?
- Your family wage income (you or your spouse started or ended a job)?
- Your itemized deductions?
- Your tax credits?

**If you can answer "YES"...**

To any of these questions or you owed extra tax when you filed your last return, you may need to file a new form W-4. See your employer for a copy of Form W-4 or call the IRS at 1-800-829-3676.

Now is the time to check your withholding. For more details, get Publication 919, *How Do I Adjust My Tax Withholding?*, or use the Withholding Calculator at: ***www.irs.gov/individuals*** on the IRS website.

Employer: Please post or publish this Bulletin Board Poster so that your employees will see it. Please indicate where they can get forms and information on this subject.

Department of the Treasury
**Internal Revenue Service**

**www.irs.gov**

Publication 213
(Rev. 8-2009)
Cat. No. 11047P

# PAYDAY NOTICE

## Regular Paydays for Employees of

Chautauqua Hotel Co DBA The Athenaeum Hotel

*(Company Name)*

***Shall be as follows:***

- [x] ***Weekly***
- [ ] ***Bi-Weekly***
- [ ] ***Monthly***
- [ ] ***Other*** _____

*By:* Megan Kristan, Department of Human Resources

*Title:* Payroll & Benefits Manager

# Together

Together… we can build a successful organization.
Together… we can ensure an outstanding reputation.
Together… we can protect our values.

Your role on our team is to speak up if you know of or suspect any unethical behavior. Our role is to listen.

Chautauqua® INSTITUTION

ATHENAEUM HOTEL
CHAUTAUQUA • NEW YORK

Safely report any violations or get more information by contacting the hotline.

Confidential, Easy-to-Use and Always Available

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**Online:**
chq.ethicspoint.com

**Phone:**
855-673-1087

## Confidential Emotional Support

Our highly trained clinicians will listen to your concerns and help you or your family members with any issues, including:

- Anxiety, depression, stress
- Grief, loss and life adjustments
- Relationship/marital conflicts

## Work-Life Solutions

Our specialists provide qualified referrals and resources for just about anything on your to-do list, such as:

- Finding child and elder care
- Hiring movers or home repair contractors
- Planning events, locating pet care

## Legal Guidance

Talk to our attorneys for practical assistance with your most pressing legal issues, including:

- Divorce, adoption, family law, wills, trusts and more

Need representation? Get a free 30-minute consultation and a 25% reduction in fees.

## Financial Resources

Our financial experts can assist with a wide range of issues.

- Retirement, taxes, mortgages, budgeting and more

For additional guidance, we can refer you to a local financial professional and arrange to reimburse you for the cost of an initial one-hour in-person consult.

## Online Support

GuidanceResources® Online is your 24/7 link to vital information, tools and support. Log on for:

- Articles, podcasts, videos, slideshows
- On-demand trainings
- "Ask the Expert" personal responses to your questions

## Help for New Parents

ParentGuidance℠ supports you through the process of becoming a biological or adoptive parent, including:

- Preparing for the baby emotionally and financially
- Finding child care
- Planning for back-to-work and other issues

## Free Online Will Preparation

EstateGuidance® lets you quickly and easily create a will online.

- Specify your wishes for your property
- Provide funeral and burial instructions
- Choose a guardian for your children

GGFL-1597

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# Contact EAPBusiness Class℠ Anytime

**No-cost, confidential solutions to life's challenges.**

Your ComPsych® GuidanceResources® program EAPBusiness Class offers someone to talk to and resources to consult whenever and wherever you need them.

Call: 877.595.5281
TDD: 800.697.0353

Your toll-free number gives you direct, 24/7 access to a GuidanceConsultant℠, who will answer your questions and, if needed, refer you to a counselor or other resources.

Online: guidanceresources.com
App: GuidanceResources® Now
Web ID: EAPBusiness

Log on today to connect directly with a GuidanceConsultant about your issue or to consult articles, podcasts, videos and other helpful tools.

# 24/7 Support, Resources & Information

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